

By Mr. MORGAN: A bill (H. R. 10580) granting an increase of pension to Lemial S. Darr; to the Committee on Pensions.

Also, a bill (H. R. 10581) to reimburse James F. Williams for physical disabilities sustained while carrying the United States mail; to the Committee on Claims.

By Mr. PATTERSON: A bill (H. R. 10582) to remove charge of desertion from the record of Henry Kohlmeier; to the Committee on Military Affairs.

By Mr. ROSSON of Kentucky: A bill (H. R. 10583) granting an increase of pension to Loueay Kerby; to the Committee on Invalid Pensions.

By Mr. STRONG of Kansas: A bill (H. R. 10584) granting an increase of pension to Minnie E. Harris; to the Committee on Invalid Pensions.

By Mr. SUMMERS of Washington: A bill (H. R. 10585) granting a pension to John English; to the Committee on Invalid Pensions.

By Mr. SWANK: A bill (H. R. 10586) for the relief of John E. Lamar; to the Committee on Military Affairs.

By Mr. THOMPSON: A bill (H. R. 10587) granting a pension to Oscar Doster; to the Committee on Invalid Pensions.

By Mr. TILSON: A bill (H. R. 10588) granting an increase of pension to Margaret Harwood; to the Committee on Invalid Pensions.

By Mr. TREADWAY: A bill (H. R. 10589) granting an increase of pension to Emily L. Parker; to the Committee on Invalid Pensions.

By Mr. UNDERWOOD: A bill (H. R. 10590) granting an increase of pension to Martha Frances Brown; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10591) granting an increase of pension to Margaret R. F. Newell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10592) granting an increase of pension to Susanna Countryman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10593) granting an increase of pension to Eunice Higgins; to the Committee on Invalid Pensions.

By Mr. WURZBACH: A bill (H. R. 10594) granting a pension to Lydia Robinson; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1375. By Mr. BACHMANN: Petition of Mr. Ernest K. Hoge and other citizens of Ohio County, W. Va., for the passage of House bill 11; to the Committee on Interstate and Foreign Commerce.

1376. Also, petition of Mrs. Fannie E. Hood and other citizens of Marion and Hancock Counties, W. Va., against compulsory Sunday observance; to the Committee on the District of Columbia.

1377. Also, petition of Thos Beven and other citizens of Ohio County, W. Va., to restore to Eugene V. Debs his full rights as a citizen of the United States; to the Committee on the Judiciary.

1378. By Mr. BLOOM: Petition of Red Oak Social Club, of Flatlands Bay, N. Y., opposed to closing the ways leading from Flatlands to Rockaway Inlet and the ocean; to the Committee on Rivers and Harbors.

1379. By Mr. BURTON: Petition of the Cleveland Association of Credit Men, Cleveland, Ohio, favoring the adoption of proposed legislation for increasing the salaries of Federal judges; to the Committee on the Judiciary.

1380. Also, petition of the Minister's Union of Cleveland, Ohio, protesting against the weakening of the Volstead act and asking for the strengthening thereof and for more determined enforcement of all laws; to the Committee on the Judiciary.

1381. By Mr. EVANS: Petition of Chamber of Commerce of Bozeman, Mont., favoring the enlargement of Yellowstone Park; to the Committee on the Public Lands.

1382. By Mr. FENN: Petition of the Bridgeport Chapter of the Connecticut Branch of the Polish Welfare Council of America, protesting against the passage of House bill 102, a bill providing for the registration of aliens, and for other purposes; to the Committee on Immigration and Naturalization.

1383. By Mr. GALLIVAN: Petition of Mr. Joseph F. Conley, secretary Boston District Council, International Longshoremen's Association, 151 Hamilton Street, Cambridge, Mass., recommending early and favorable consideration of House bill 9498; to the Committee on the Judiciary.

1384. By Mr. GREEN of Iowa: Petition of H. Christensen and others in opposition to House bills 7179 and 7822, commonly known as the compulsory Sunday observance bills for the District of Columbia; to the Committee on the District of Columbia.

1385. By Mr. HOOPER: Petition of Martha Twichell and 11 other residents of Eaton Rapids, Mich., protesting against

the passage of compulsory Sunday observance legislation in the District of Columbia; to the Committee on the District of Columbia.

1386. By Mr. KNUTSON: Petition of Wm. J. Kleve, of Freeport, Minn., and others, expressing opposition to the Curtis-Reed bill; to the Committee on Education.

1387. By Mr. LEAVITT: Resolution of Butte Exchange Club of Butte, Mont., favoring continuance of the provisions of the Sheppard-Towner maternity act; to the Committee on Interstate and Foreign Commerce.

1388. By Mr. MANLOVE: Petition of 104 citizens of Carthage, Jasper County, Mo., against compulsory Sunday observance; to the Committee on the District of Columbia.

1389. By Mr. MORROW: Petition of Men's Bible Class, Methodist Episcopal Church, Albuquerque, N. Mex., protesting against modification of the Volstead Act; to the Committee on the Judiciary.

1390. By Mr. O'CONNOR of New York: Petition of Hon. Alfred E. Smith, Governor of the State of New York, urging the building of the all-American canal; to the Committee on Rivers and Harbors.

1391. By Mr. O'CONNELL of New York: Petition of the National Committee of One Hundred, to retard the extermination of American game birds and to oppose wasteful killing, favoring the passage of Senate bill 3580 and House bill 10433; to the Committee on Agriculture.

1392. Also, petition of Albert Corbett, of Salem, N. Y., and Louis F. Dow, of Ballston Spa, N. Y., favoring increases of pensions to the Civil War veterans; to the Committee on Invalid Pensions.

1393. Also, petition of the U. Grant Border's Sons, of New York City, favoring the passage of House bill 6400; to the Committee on Interstate and Foreign Commerce.

1394. Also, petition of the Morgan County farmers and business men of Martinsville, Ind., favoring the passage of the Dickinson export corporation bill; to the Committee on Agriculture.

1395. By Mr. SMITH: Petition of 172 women of southern Idaho, urging the strictest enforcement of the prohibition law; to the Committee on the Judiciary.

1396. By Mr. TILSON: Petition of E. A. Ross and other officeholders and citizens of Lowndes County, Miss., indorsing House bill 8132; to the Committee on Pensions.

1397. Also, petition of Arcemus Carter, warrant officer, United States Army, Atlanta, Ga., favoring passage of House bill 9512; to the Committee on Military Affairs.

1398. By Mr. WURZBACH: Petition of Mr. Mack Johnson and other citizens of San Antonio, Tex., protesting against the passage of House bills 7179 and 7822 (compulsory Sunday observance bills); to the Committee on the District of Columbia.

1399. By Mr. YATES: Petition of the Licensed Tugmen's Protective Association of America, room 329, Bush Temple, Chicago, Ill., urging passage of House bill 9498, introduced by Mr. GRAHAM, of Pennsylvania, providing compensation for longshoremen and harbor workers injured while working aboard ship; to the Committee on the Judiciary.

1400. Also, petition of Chicago Post Office Clerks' Union, No. 1, National Federation of Post Office Clerks, urging the passage of the Lehlbach-Stanfield retirement bill; to the Committee on the Civil Service.

1401. Also, petition of citizens of Brookport, Ill., by Mr. Ellis Croach, requesting the passage of House bill 8132 and Senate bill 3301, for Spanish-American War veterans; to the Committee on Pensions.

SENATE

TUESDAY, March 23, 1926

(Legislative day of Saturday, March 20, 1926)

The Senate reassembled at 12 o'clock meridian, on the expiration of the recess.

Mr. JONES of Washington. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Ashurst	Capper	Ferris	Harrell
Bayard	Caraway	Fess	Harris
Bingham	Copeland	Fletcher	Harrison
Blease	Couzens	Frazier	Howell
Borah	Curtis	George	Johnson
Bratton	Dale	Gillett	Jones, Wash.
Brookhart	Deneen	Glass	Kendrick
Bronssard	Edge	Goff	Keyes
Bruce	Edwards	Gooding	King
Butler	Ernst	Greene	La Follette
Cameron	Fernald	Hale	Lenroot

McKellar	Nye	Sackett	Trammell
McKinley	Odell	Sheppard	Tyson
McLean	Overman	Shipstead	Wadsworth
McNary	Pepper	Shortridge	Walsh
Magfield	Phelps	Simmons	Warren
Means	Pine	Smith	Watson
McGuffey	Pittman	Smoot	Weller
Moses	Ransdell	Stanfield	Williams
Neely	Reed, Pa.	Stephens	Willis
Norris	Robinson, Ark.	Swanson	

Mr. CARAWAY. I desire to announce that the junior Senator from Alabama [Mr. HEFLIN] has been called home on account of a death in his family.

Mr. WALSH. I wish to announce that the Senator from Rhode Island [Mr. GERRY] and the Senator from Missouri [Mr. REED] are detained from the Senate by illness.

The VICE PRESIDENT. Eighty-three Senators having answered to their names, a quorum is present. The Senate will receive a message from the House of Representatives.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks, announced that the House had passed bills of the following titles, in which it requested the concurrence of the Senate:

H. R. 7255. An act to regulate the sale of kosher meat in the District of Columbia;

H. R. 9398. An act to amend an act regulating the height of buildings in the District of Columbia, approved June 1, 1910; and

H. R. 10204. An act providing an additional wing to the District Jail.

PETITIONS

Mr. PEPPER presented a petition of the Philadelphia (Pa.) Board of Trade, praying for the passage of the bill (H. R. 3858) to establish in the Bureau of Foreign and Domestic Commerce a foreign commerce service, which was referred to the Committee on Commerce.

He also presented a petition of the Philadelphia (Pa.) Board of Trade, praying for the passage of the bill (H. R. 10209) providing suitable housing for agencies of the United States Government located in foreign lands, which was referred to the Committee on Foreign Relations.

REPORTS OF COMMITTEES

Mr. FERNALD, from the Committee on Public Buildings and Grounds, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

A bill (S. 201) authorizing the removal of the gates and piers in West Executive Avenue between the grounds of the White House and the State, War, and Navy Building (Rept. No. 439);

A bill (S. 1415) authorizing and directing the Secretary of the Treasury to immediately reconvey to Charles Murray, sr., and Sarah A. Murray, his wife, of De Funiak Springs, Fla., the title to lots 820, 821, and 822 in the town of De Funiak Springs, Fla., according to the map of Lake De Funiak drawn by W. J. Vankirk (Rept. No. 440); and

A bill (S. 3287) relating to the purchase of quarantine stations from the State of Texas (Rept. No. 441).

Mr. FERNALD also, from the Committee on Public Buildings and Grounds, to which were referred the following bills, reported them severally without amendment:

A bill (H. R. 6244) to authorize the Secretary of the Treasury to exchange the present Federal building and site in the city of Rutland, Vt., for the so-called memorial building and site in said city;

A bill (H. R. 6260) to convey to the city of Baltimore, Md., certain Government property;

A bill (H. R. 7178) authorizing the sale of certain abandoned tracts of land and buildings; and

A bill (H. R. 9455) to dedicate as a public thoroughfare a narrow strip of land owned by the United States in Bardstown, Ky.

Mr. ASHURST, from the Committee on Public Lands and Surveys, to which was referred the bill (S. 1914) directing the resurvey of certain lands, reported it without amendment and submitted a report (No. 442) thereon.

Mr. ODDIE, from the Committee on Public Lands and Surveys, to which was referred the bill (S. 674) granting certain lands to the city of Kaysville, Utah, to protect the watershed of the water-supply system of said city, reported it with amendments and submitted a report (No. 443) thereon.

Mr. SHEPPARD, from the Committee on Military Affairs, to which was referred the bill (S. 2839) for the relief of Capt. James A. Merritt, United States Army, retired, reported it without amendment and submitted a report (No. 444) thereon.

Mr. STANFIELD, from the Committee on Public Lands and Surveys, to which was referred the bill (H. R. 5242) to repeal the act approved January 27, 1922, providing for change of entry, and for other purposes, reported it with an amendment and submitted a report (No. 445) thereon.

BILL RECOMMITTED—HARRY E. BOVAY

On motion of Mr. BINGHAM, the bill (H. R. 9007) granting the consent of Congress to Harry E. Bovay to construct, maintain, and operate bridges across the Mississippi and Ohio Rivers at Cairo, Ill., was ordered recommitted to the Committee on Commerce.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SMOOT:

A bill (S. 3666) to authorize the President to appoint John Archibald McAlister, jr., a lieutenant colonel, Dental Corps, United States Army; to the Committee on Military Affairs.

By Mr. FERNALD:

A bill (S. 3667) granting an increase of pension to Caroline Sanborn (with accompanying papers); to the Committee on Pensions.

By Mr. McKELLAR:

A bill (S. 3668) granting a pension to Robert C. Kistler (with accompanying papers); to the Committee on Pensions.

By Mr. SHORTRIDGE:

A bill (S. 3669) for the relief of Royal W. Robertson; to the Committee on Finance.

A bill (S. 3670) granting a pension to Bessie P. Gardener; to the Committee on Pensions.

By Mr. WADSWORTH:

A bill (S. 3671) for the relief of James M. E. Brown; to the Committee on Claims.

A bill (S. 3672) for the relief of Frederick Bremer; and

A bill (S. 3673) for the relief of Charles H. Stafford, deceased; to the Committee on Military Affairs.

By Mr. McKINLEY:

A bill (S. 3674) granting an increase of pension to Mary A. Brush (with accompanying papers); to the Committee on Pensions.

By Mr. CAPPER:

A bill (S. 3675) to define, regulate, and license real-estate brokers and real-estate salesmen; to create a real estate commission in the District of Columbia; and to provide a penalty for a violation of the provisions thereof; to the Committee on the District of Columbia.

A bill (S. 3676) to amend the packers and stockyards act, 1921; and

A bill (S. 3677) to amend the packers and stockyards act, 1921; to the Committee on Agriculture and Forestry.

By Mr. PEPPER:

A bill (S. 3678) to increase the annual rates of compensation of the Capitol police; to the Committee on Appropriations.

By Mr. STEPHENS:

A bill (S. 3679) to amend an act entitled "An act to prevent the extermination of fur-bearing animals in Alaska," etc.; to the Committee on Commerce.

By Mr. WILLIS:

A bill (S. 3680) granting an increase of pension to Clarinda Shandbarger (with accompanying papers); to the Committee on Pensions.

By Mr. JONES of Washington:

A joint resolution (S. J. Res. 78) for the amendment of the plant quarantine act of August 20, 1912, to allow the States to quarantine against the shipment therein or through of plants, plant products, and other articles found to be diseased or infested when not covered by a quarantine established by the Secretary of Agriculture, and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. FRAZIER:

A joint resolution (S. J. Res. 79) to authorize and empower the President of the United States to have a route surveyed for a great eastern freight railroad electrically propelled between Lake Erie through the northern part of Pennsylvania and New Jersey to the New Jersey shore of New York lower bay and provided with the most improved terminal facilities, and for other purposes; to the Committee on Interstate Commerce.

By Mr. WATSON:

A joint resolution (S. J. Res. 80) authorizing the Secretary of War to loan to the Uniform Rank, Knights of Pythias, tents and other equipment for use at its national encampment to be held at Chicago, Ill., beginning August 8, 1926; to the Committee on Military Affairs.

INVESTIGATION OF DISTRICT OF COLUMBIA AFFAIRS

Mr. KING submitted the following concurrent resolution (S. Con. Res. 5), which was referred to the Committee on the District of Columbia:

Resolved by the Senate (the House of Representatives concurring), That a joint committee, to consist of the Committees on the District of Columbia of the Senate and House of Representatives, or any subcommittees thereof, is hereby authorized and directed to make a comprehensive investigation of the administration of the affairs of the District of Columbia and the expenditures of public moneys therein, such investigation to include the operation of zoning laws; expenditures for the maintenance, improvement, and paving of streets; water supply; traffic regulations and administration; the revenue laws; the valuation of property for taxation; whether persons are establishing a nominal residence in the District of Columbia for the purpose of evading inheritance taxes on personal and intangible property and the extent of such practice; the police department, including the women's bureau; Gallinger Hospital; House of Detention; St. Elizabeths Hospital; National Training School for Girls; National Training School for Boys; the juvenile court; whether minors are arrested without warrant, separated from their parents, detained without authority, or committed to institutions without proper hearings; whether persons charged with insanity or other disability are committed to institutions in the District of Columbia by any agency of the Government, without proper process for the protection of their rights; and to report its findings to Congress, with recommendations for legislation to correct abuses and to secure better administration of the affairs of the District of Columbia.

Said committee is authorized to send for persons and papers, administer oaths, to sit during the sessions or during any recess of the Sixty-ninth Congress, and to employ such clerical assistance as may be necessary.

ASSISTANTS TO THE SECRETARY OF LABOR

Mr. REED of Pennsylvania. Mr. President, I ask unanimous consent to make a rather unusual request. I ask leave to report from the Committee on Immigration the bill (S. 3662) creating the offices of assistants to the Secretary of Labor, and I ask unanimous consent for its immediate consideration. It will not take two minutes.

I ought to explain that the bill merely authorizes the Secretary of Labor to designate two of his force as assistants to the Secretary. If this is done it will permit them to sign the name of the Secretary to a vast number of documents which go through as a matter of routine and which at present are absorbing a large part of the time of the Secretary and the Assistant Secretary.

It is necessary to have this action taken now in order that the same provision may be put in the appropriation bill which is coming up as soon as the pending bill is out of the way. It will not increase the appropriation in any respect, and will be paid out of the appropriation for enforcing the immigration laws. This bill has been approved by the Bureau of the Budget and by the President as not being inconsistent with his policy.

The VICE PRESIDENT. The bill will be read.

The legislative clerk read the bill, as follows:

Be it enacted, etc., That hereafter there shall be in the Department of Labor not more than two assistants to the Secretary, who shall be appointed by the President and shall perform such duties as may be prescribed by the Secretary of Labor or required by law.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

HOUSE BILLS REFERRED

The following bills were severally read twice by title and referred to the Committee on the District of Columbia:

H. R. 7255. An act to regulate the sale of kosher meat in the District of Columbia;

H. R. 9398. An act to amend an act regulating the height of buildings in the District of Columbia, approved June 1, 1910; and

H. R. 10204. An act providing an additional wing to the District jail.

PRESIDENTIAL APPROVALS

A message from the President of the United States, by Mr. Latta, one of his secretaries, announced that on March 22, 1926, the President had approved and signed the following acts:

S. 122. An act granting the consent of Congress to the Iowa Power & Light Co. to construct, maintain, and operate a dam in the Des Moines River; and

S. 3173. An act granting the consent of Congress to the State roads commission of Maryland, acting for and on behalf of the State of Maryland, to reconstruct the present highway bridge across the Susquehanna River between Havre de Grace in Harford County and Perryville in Cecil County.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its clerks, announced that the House disagreed to the amendments of the Senate to the bill (H. R. 8917) making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1927, and for other purposes; requested a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. ANTHONY, Mr. BARBOUR, Mr. CLAGUE, Mr. JOHNSON of Kentucky, and Mr. HARRISON were appointed managers on the part of the House at the conference.

LONG-AND-SHORT-HAUL CLAUSE OF THE INTERSTATE COMMERCE ACT

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 575) to amend section 4 of the interstate commerce act.

Mr. DENEEN. Mr. President, in the debate upon Senate bill 575, proposing an amendment to section 4 of the interstate commerce act, a studied effort has been made to create the impression that Chicago and the State of Illinois are interested in preventing the full development and uses of the waterway systems of the country.

I am sure that those who have labored so hard to create this impression have given little consideration to the geographical location and the commercial interests of Chicago and Illinois. No other city located in the interior of the continent has so great an interest in waterway transportation as Chicago.

Chicago is located at the southwestern point of the American Mediterranean, the greatest body of fresh water within any continent. All the waters of the Ohio River flow by our State on their way to the sea; the Cumberland and the Tennessee Rivers discharge their waters against our State; the Mississippi River flows by our State for 500 miles and forms its western boundary; the Missouri River releases its waters against our State. I may add that Illinois is on the floor of the continent and half of its waters touch our State on their way to the sea. It is obvious therefore that the people of our State favor water transportation.

When the Territory of Illinois was admitted to the Union as a State in 1818 it requested Congress to extend its northern boundary 61 miles so that it might have a harbor on the Great Lakes and that the waterway, running through the heart of the continent for 3,300 miles from the Gulf of St. Lawrence through the St. Lawrence River, the Great Lakes, the Chicago, the Des Plaines, the Illinois, and the Mississippi Rivers to the Gulf of Mexico, should be unvexed by a divided jurisdiction. And for more than 100 years our State has persistently advocated the removal of the obstacles to the completion of this greatest interior waterway within any continent.

The State of Illinois in 1889 conferred authority on the sanitary district of Chicago to complete the most expensive and difficult part of the channel between Lake Michigan and the Mississippi River, and the work has been accomplished at the expense of approximately \$100,000,000 to the people of the Chicago metropolitan district.

Nearly 20 years ago the people of our State amended our constitution to permit the general assembly to appropriate \$20,000,000 to complete the channel from the southern terminus of the sanitary district canal to Ottawa, Ill., from which city the Federal Government has maintained navigation to the Mississippi River. The money is being expended and the work will be accomplished within three years.

In contrast with these large appropriations by Chicago and the State of Illinois it is estimated that it will cost the Federal Government less than \$1,000,000 to complete the 9-foot channel from Ottawa, where its jurisdiction begins, through the Illinois River to Grafton on the Mississippi River.

The city of Chicago and the State of Illinois have submitted ample evidence of their interest in the development of waterway transportation. Notwithstanding these great expenditures by the people of our State and its agencies, its representatives have favored appropriations by the Congress for the development of the Mississippi system; we favored the appropriation of \$60,000,000 for the 9-foot channel in the Ohio River from Pittsburgh, Pa., to Cairo in our State; of \$20,000,000 for the 6-foot channel in the Mississippi River from St. Louis to St. Paul; of \$12,000,000 for a 6-foot channel from the mouth of the Missouri River to Kansas City and beyond.

When Chicago was attacked because of the flow of the waters from Lake Michigan through the Chicago River to the Mississippi River and the claim was made that the level of the Great Lakes had been reduced thereby about 3 feet, Chicago joined in an investigation to ascertain the reasons for the lowering of the level of the Great Lakes. It was found that five-sixths of the reduction in the level was due to the uses of water by agencies of other States and the climatic cycle, and that one-sixth was due to the diversion of waters through the Chicago River. Chicago promptly agreed to pay the expenses of the construction of controlling works in the Great Lakes to compensate for that part of the reduction for which it is responsible.

The people of our State are united in asking for legislation at this session of Congress which will enable the construction of a 9-foot channel from Chicago to the Gulf of Mexico. They are likewise united in urging a waterway to the Atlantic Ocean through the Great Lakes as soon as may be. The people of our State were united also in favoring the building of the Panama Canal and paid their full measure of the cost of its construction. The people of our State believe in the commercial utilization of the Panama Canal as a part of a comprehensive and coordinated rail-and-water transportation system that is national in its scope and benefits.

RAILWAY TRANSPORTATION

The people of Illinois are fortunate, too, in their railway facilities. I shall refer only to Chicago, because of the attacks which have been made upon our metropolis. Our city is fortunate in its natural location from the standpoint of railway construction. When the railroads were first built, they followed parallels of latitude, and because of our situation at the southwestern point of the Great Lakes they crossed our State as they traversed the continent from sea to sea. When it was sought to connect the climates it was found that the shortest line between the Great Lakes and the Gulf of Mexico passed through our State. Then the railroads radiated out in every direction from our city. Because we are the greatest interior waterway center in North America, because we are the greatest railway center in North America and the world, Chicago is the pivot around which swings the commerce of a continent.

It is obvious, therefore, that Chicago and the State of Illinois are greatly interested in railway transportation and in the coordination of rail and water transportation into a comprehensive national system.

Our favorable situation for rail and water service caused the people of our State long ago to favor the policy which was enacted into law by the Congress in 1920, in section 500 of the transportation act, namely—

to promote, encourage, and develop water transportation, service, and facilities in connection with the commerce of the United States, and to foster and preserve in full vigor both rail and water transportation.

SENATE BILL 575

This leads me to a brief discussion of the principle of the Gooding bill itself. The Gooding bill forbids the charging of a less rate for a longer haul than a shorter haul, and it is aimed at the transcontinental railroads and at the industries and business of the people of the Middle West.

One would think from listening to the debates and reading the speeches that have been made that the long-and-short-haul rates were a new and strange device, perpetrated by one section of the country upon another to the disadvantage of the latter, and that they were the result of deep-laid schemes, manipulations, and conspiracies on the part of the designing persons.

The history of the long-and-short-haul rate answers and refutes such contentions. The principle of the long-and-short-haul rate has been applied in this country from the beginning of railroad construction. It is the rule in both Canada and England. Its principle has been sustained by the members of the Interstate Commerce Commission since its organization, with few exceptions. It has been upheld by the Supreme Court of the United States. It has been applied in all sections of the country, so that it is neither new nor strange nor the result of schemes, manipulations, nor conspiracies. The reasons which sustain the principle lie upon the surface and are inherent in our national railway transportation system.

Mr. President, the logic of the Gooding bill leads to the mileage rate of service, irrespective of any other factors. If its principle is true, the railroad that has the advantage of shorter distance between shipping points should charge less than competitors having longer lines.

Mr. GOODING. Mr. President, I am sure the Senator from Illinois does not want to be in error as to that matter. My bill provides only that there shall be no violations of the fourth

section as between rail and water transportation. It does not touch circuitous lines at all.

Mr. DENEEN. I think I will make quite plain what I have in mind as I proceed.

Mr. GOODING. I am sure the Senator does not want to be mistaken. My bill is perfectly clear.

Mr. DENEEN. I think the question which has been raised will be answered as I proceed.

A few examples will suffice to illustrate the point I am making:

The Michigan Central Railway is almost on a direct line from Chicago to Detroit. The Grand Trunk Railway follows a circuitous route between Chicago and Detroit. To meet the rates of the Michigan Central, the Grand Trunk Railway is permitted to make a higher charge for freight to certain local points in Michigan than to Detroit. If the Grand Trunk were not permitted to make a lesser charge for the long haul than for the shorter, the Michigan Central Railway would have all the freight and the Grand Trunk Railway would be limited to its local traffic. This would not help the intermediate stations on the Grand Trunk, but would injure greatly the railroad itself and would eliminate the benefits of the competition it affords between Chicago and Detroit.

Mr. GOODING. Mr. President, I am sure the Senator does not want to continue making such statements as that, because he is mistaken. Evidently he has not studied the bill at all. It does not have anything to do with circuitous routes or anything of the kind. It does not change a single rate on any railroad; it permits such rates as the present law authorizes and to which the Senator has referred.

Mr. DENEEN. I am discussing the principle involved and endeavoring to illustrate it. The statement which I have made as to the Michigan Central and the Grand Trunk Railroad was submitted to men who are familiar with the matter, and I have made it after investigation.

Again, there are five railroads between Chicago and St. Louis: The Chicago & Eastern Illinois, the Chicago & Alton, the Illinois Central, the Wabash, and the Chicago, Burlington & Quincy Railway. There is more than 50 miles difference between the longest and the shortest route. If, therefore, freight rates were regulated on the principle of the mileage basis, the shortest road would soon have all the business, to the disadvantage of the other roads. This would destroy competition of the railroads between Chicago and St. Louis.

The Baltimore & Ohio line between Chicago and Washington is 43 miles shorter than the Pennsylvania line between Chicago and Washington. If the mileage principle were applied and rates were fixed upon service measured by distance alone, the Baltimore & Ohio would soon acquire all the business between Chicago and Washington.

The principle of the long-and-short haul enables the railways to utilize to the fullest extent their plants and equipment; it insures competition and eliminates waste in operation, and, in the end, reduces charges for service to intermediate points.

THE LONG-AND-SHORT HAUL AND WATERWAY TRANSPORTATION

Mr. President, it has been stated in the debate that if the transcontinental railways were permitted to apply the long-and-short-haul principle, they would soon reduce their rates to such an extent as to destroy the commercial value of the Panama Canal.

In reply to such statements, I call attention to section 4 of the interstate commerce act, which provides that the commission, in special cases, after investigation, may authorize a charge less for longer than for shorter distances, but that the commission shall not permit the establishment of any charge to or from the more distant point "that is not reasonably compensatory for the service performed," and that no authorization shall be granted by the commission "on account of merely potential water competition not actually in existence." The words "reasonably compensatory" have been defined by the Interstate Commerce Commission as follows:

That a rate properly so described means (1) cover and more than cover the extra or additional expense incurred in handling the traffic to which it applies; (2) being no lower than necessary to meet existing competition; (3) not be so low as to threaten the extinction of legitimate competition by water carriers; and (4) not impose an undue burden on other traffic or jeopardize the appropriate rate on the value of the carrier property generally, as contemplated in section 15-a of this act. (Transcontinental cases, 1922, 74 I. C. C. 48.)

Congress has also declared in section 500 of the transportation act that its policy is to preserve both rail transportation and water transportation in full vigor, and the commission must administer the law with this policy in view.

Whatever discrimination there may have been in the rates by railroads in earlier days to affect waterway transportation, it is plain that the law forbids such discrimination now and that the Interstate Commerce Commission has faithfully followed the law. The law amply protects the intermountain country from discrimination in rates under sections 1, 2, 3, and 4 of the interstate commerce act, and while the debate on this bill was in progress the Interstate Commerce Commission decided, on March 1, 1926, against the application to reduce rates on 47 commodities from the Chicago district to the Pacific coast on the facts submitted to the commission. These facts related to the competition of water transportation for the commodities named through the Panama Canal.

The assertions of fear that the transcontinental railroads intend to destroy commerce through the Panama Canal are fanciful. The facts do not warrant such assertions. In the first place, half of the traffic through the Panama Canal is freight which originates at tidewater on the Atlantic Ocean and is not affected by railway rates. The cost of transportation from the Atlantic seaboard through the canal to the Pacific coast cities is 25 to 40 cents per 100 pounds on iron and steel, obviously greatly below any charge that the railroads could offer Chicago; and in the case decided on March 1 the request was for an 80 cents per 100 pounds charge on iron and steel for the long haul to the Pacific Ocean from the Chicago district.

It is plain that the policy of the country is not against waterway transportation, but demands it. The Middle West is demanding access to the Gulf of Mexico from the Great Lakes; access to the Atlantic Ocean through the Great Lakes; the early completion and coordination of the Mississippi River system and its branches, the Ohio, the Tennessee, the Cumberland, the Illinois, the Mississippi, and the Missouri Rivers; also those great projects along the Atlantic coast; the intercoastal canals in the Gulf of Mexico and on the Pacific Ocean. The railways can no longer destroy waterway transportation.

THE ATTACK ON CHICAGO

Mr. President, throughout the debate an effort has been made to create a prejudice against Chicago. It is charged that the population of Chicago is too large and should be reduced. It is asserted that the Atlantic seaboard has natural advantages over the Middle West, and that the products to supply the markets of the Pacific coast should be manufactured there. The Panama Canal is called a natural advantage. I deny that the Panama Canal is a natural advantage. It is an artificial advantage. Its construction was paid for by the whole Nation. Neither the Atlantic nor the Pacific Ocean cost the United States 1 cent. The Panama Canal was built primarily for national defense and secondarily to benefit the commerce of the whole Nation. It was never meant to be used to injure or destroy the business of the Middle West.

On the contrary, Chicago has great natural advantages. The minerals of northern Minnesota and of northern Michigan meet the coal of Illinois at Chicago. They enjoy the advantages of cheap transportation. They have created vast industries there. The geographical location of Chicago gives it unequal advantages in transportation by water and by rail. If the Panama Canal had been built by private enterprise, the interest on the principal and its repayment would have required tolls so high that it could not have competed successfully with the railways. The artificial advantages which it has should not be used to eliminate competition by the railroads where competition is economical and not discriminatory.

Should the Gooding bill be enacted into law, it would tend to divert freight from the Chicago district through the Great Lakes to Port Arthur, 100 miles from Duluth, and thence via the Canadian transcontinental railroads to Vancouver in British Columbia, and thence down the Pacific coast. The Dominion of Canada authorizes cheaper rates for the long haul than for the short haul to the Pacific Ocean.

The objections to the Gooding bill are that it is against the uniform experience in the United States and elsewhere, as stated; that it would in the end raise the short-haul rates rather than lower them; that it would create rather than overcome waste in the operation of our transportation systems; that it would injure other parts of the country without helping the intermountain region; that it is against progress and goes back to the thumb rule in industry and business; and that it will lead, if carried to its logical conclusion, to an equal charge per mile which will destroy railway competition.

The Congress has safeguarded the regions the transcontinental lines traverse by providing that the intermediate rates should not be raised to enable the railroads to lower the through rates. The through rates must be "reasonably com-

pensatory," and the long-haul competitive freight should enable the railroads to utilize their equipment and plants to the fullest capacity.

The Congress has provided also that freight rates shall not be so low as to affect injuriously the competing water-borne traffic. On the contrary, the water-borne traffic through the Panama Canal is not regulated by any governmental agency. If the railways can not meet water-borne rates within the restrictions of the law, business will be taken from them; but within the law they may compete for it. If the policy of the country is to continue to foster and preserve in full vigor both rail and water transportation as prescribed in section 500 of the transportation act, we must have a body of trained experts employed at all times to meet by rules the facts as they arise. In this way the Nation will be able to maintain the equilibrium between railway and water transportation.

Mr. GOODING. Mr. President, I send to the desk Senate bill 575, and ask that it may be read. I make that request because of the remarkable statement made by the Senator from Illinois [Mr. DENEEN]—which, to my mind, is one of the most remarkable that has ever been made on the floor of the Senate by any Senator—that this bill in any way, or any long and short haul bill, would interfere with the railroads coming into Chicago where one route was longer than the other or that the violations of the fourth section would exist on such a road.

The VICE PRESIDENT. The bill will be read as requested.

The legislative clerk read the bill (S. 575) to amend section 4 of the interstate commerce act, as follows:

Be it enacted, etc., That section 4 of the interstate commerce act, as amended, is hereby amended by adding thereto a new paragraph, as follows:

"(3) No common carrier shall be authorized to charge less for a longer than for a shorter distance for the transportation of passengers or of a like kind of property, over the same line or route in the same direction, the shorter being included within the longer distance, on account of water competition either actual or potential or direct or indirect: *Provided*, That such authorizations, on account of water competition, as may be lawfully in effect on December 7, 1925, shall not be required to be changed except upon the further order of the commission: *And provided further*, That the provisions of this paragraph shall not apply to rates on import and export traffic, including traffic coming from or destined to a possession or dependency of the United States."

Mr. GOODING. Mr. President, the amendment of 1920 to the fourth section especially provides that on circuitous roads violations may be permitted. It is rather astonishing that the Senator from Illinois [Mr. DENEEN] should make the statement he has made, when there is nothing in this bill that will interfere in any way, even to the extent of the crossing of a "t" or the dotting of an "i," with any railroad rate that is now in existence if it becomes a law. It only provides that after the 7th of December, 1926, the Interstate Commerce Commission shall not be permitted to allow the railroads to charge less for a longer haul than for a shorter haul of the same class of freight moving in the same direction to meet water transportation. It is a very simple bill; and surely the Senator from Illinois has not read it, or he would not have made the statement that he has just made in his remarks.

That is the trouble in discussing this bill. So many Senators apparently have not given the attention they should, and they do not understand it.

Mr. SIMMONS. Mr. President—

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from North Carolina?

Mr. GOODING. I yield to the Senator.

Mr. SIMMONS. Either the Senator from Idaho has misunderstood the argument of the Senator from Illinois, or I have misunderstood him. I did not understand the Senator from Illinois as saying that the bill of the Senator from Idaho would interfere with the competition of railroads as between themselves. I understood him as contending that the Senator's bill left that matter as it is now provided in the law; that in the case of two railroads of different lengths running between the same points the railroad having the longer route might still, under the Senator's bill, apply for fourth-section relief; but that while the Senator's bill permitted that part of the law to remain intact, he proposed to deny fourth-section relief to the railroads where there was water competition.

I understand that to be the position of the Senator from Illinois. He did not contend that the Senator's bill would in any way infringe upon the present right of competing railroads to obtain relief because one is shorter than the other.

Mr. GOODING. I understood the Senator from Illinois to say, mentioning the Michigan Central and other roads deliver-

ing freight at Chicago, that one is longer than the other, and that if my bill should pass it would give all the freight to the shorter one.

Mr. DENEEN. Oh, no!

Mr. SIMMONS. Not at all. The Senator from Illinois did not make that contention; and the point the Senator from Illinois raised is one that has been constantly in my mind in considering the Senator's bill. The Senator proposes to deny these departures only in case of water competition.

Mr. GOODING. That is all.

Mr. SIMMONS. But he does not propose to deny these departures in case of rail competition.

Mr. GOODING. The Senator is correct.

Mr. SIMMONS. That is the point the Senator from Illinois made; and I have been wondering how the Senator differentiates those two conditions. If it is proper that railroads, when they compete, shall have the benefit of this departure where one route is longer than the other, for the purpose of enabling them to meet that rail competition, why should the railroads be denied the benefit of these departures when it is necessary for them to meet a more destructive and a more disadvantageous competition by water?

Mr. PITTMAN. Mr. President—

Mr. GOODING. I yield to the Senator from Nevada.

Mr. PITTMAN. I think that is the whole fundamental proposition.

Mr. SIMMONS. I think that is the point in the case.

Mr. PITTMAN. And, if the Senator will pardon me, let us see if there is no distinction.

The ordinary expense of one railroad and another railroad are quite similar. Both of them have intermediate traffic. Water transportation rarely has any intermediate traffic. Railroads can carry anything. Water can carry only a few things. When I say "a few things," I mean economically. No one will ship by water where speed is the essence of the matter. As was said by the Interstate Commerce Commission in its recent decision, there are so few things that boats can carry economically that they are at a disadvantage in competing with the railroads. Again, they are at a disadvantage, so the Interstate Commerce Commission says in its recent decision, because they have no intermediate traffic.

In other words, the railroads, in asking a departure from the fourth section to meet competition at San Francisco from Chicago, could find out of the 10,000 articles only 47 that the boats could carry—just 47 out of 10,000 that the boats could compete with. What were they going to do? Two railroads are competing, one of them possibly 100 miles longer than the other. It may cost the one that is 100 miles longer than the other a few cents a hundred to compete, but they are so near together that it is not necessary to lower the rate of the longer road very much to do that, and it makes very little difference in the price of the intermediate freight. But take the exact case that we have now, that has just been decided. It is not necessary to go any further. The railroads running from Chicago ask for a lower rate to the coast than the rate for the short intermediate haul, on what? On only 47 articles. Why? Because there were only 47 articles they could think of that the boats could carry that would be in competition with the railroads. There are 10,000 articles that the railroads can carry.

That is the situation of the matter. The impossibility of a boat competing with a railroad is shown by the fact that the railroads can make up on 9,953 articles the loss they sustain on 47. The boat has nothing on which to make up what it loses. Do you not see the point? You can not drive a single railroad out of business with this long-and-short-haul legislation. It has never been possible to drive them out. Why? Because the comparative cost is about the same; there is so little difference between them; but the difference in comparative cost between a boat and a railroad is enormous on those things that the boat can carry.

A railroad can carry 47 articles for nothing if it has over 9,000 articles on which to make up the loss. It is perfectly evident that there can not be real competition between railroads and boats. Whenever you try to bring about competition between railroads and boats artificially, the boats go. That has been the history of this whole fight, has it not? They are bound to go. If there were no distinction between them, the Senator from North Carolina would be right; but there is the fundamental distinction that there are only 47 articles that the boats can afford to carry through the Panama Canal, while there are 10,000 articles that the railroads can carry.

Do they ask, mind you, to lower the rates on the 10,000 articles? Oh, no! They pick out the 47 articles that the

boats can carry, and they ask to have a cost rate on those 47 articles that will give them half of the business. That is what they ask. If they are given a rate that gives them half of the business on those 47 articles, do you not know that it is bound to take the balance of the traffic?

Ninety per cent of this trade, half of which they ask, is steel going from Pittsburgh through Baltimore to San Francisco and Los Angeles. They ask a rate on steel that will give them half of that 90 per cent of steel. Is it possible to give them a rate that will induce the shippers of Pittsburgh to ship half of it without shipping all of it? Is not that what the president of the Northern Pacific said? He said: "If they will give us that rate, we can carry it all."

The proposition is here, and the Interstate Commerce Commission in its decision passed on it. We can not have competition between boat lines and railroads, because the rails will put the boats out of business every time, for the reason that there are only 47 articles that boats can carry, and there are 10,000 articles that rails can carry. There is no intermediate business to speak of for boats, and there is intermediate business all along for railroads. Even after the boats carry the 47 articles to the coast points, the railroads distribute them to the interior from those points.

It must be apparent to any intelligent man who studies this question that the sole object of this proposal is to keep down boat transportation.

Why, suppose the railroads are given half of the Panama trade; what does it mean to them? What would be the result, as the president of the Northern Pacific road says? He says that they would get \$15,000,000 gross out of half the trade of the Panama Canal. What would \$15,000,000 gross mean when the total traffic of the western roads is \$500,000,000? Does it not show to you the absurdity of the whole proposition? That is \$15,000,000 gross, at what price? At out-of-pocket cost. What would be the net profit out of that \$15,000,000? Mind you, there is bound to be a net profit out of the \$500,000,000, because the railroads are guaranteed 5½ per cent. Nobody claims that they are guaranteed any per cent of profit out of this out-of-pocket cost. They get a gross return of \$15,000,000 at out-of-pocket cost as against \$500,000,000 at a profit. What do the Interstate Commerce Commission say in their last decision? They say, "You have not shown that you would not lose more than you would gain if we granted you this rate, and you got half the traffic of the Panama Canal." If that be the case, what is the object of the railroads? They can have but one object, and that is the object of destroying water competition.

That has been the object since the beginning of time. In 1887, when the first fourth section was enacted, it was for the purpose of preventing the railroads from destroying water competition in this country. The waterways of this country were full of boats at that time—everybody knows it—and the railroads have run them off. The fourth section was passed, and a proviso was slipped in it.

What is the fourth section? Senators say that it is a hard-and-fast rule; but it is not a hard-and-fast rule. It allows the Interstate Commerce Commission to permit a railroad to charge as much for a thousand miles as it does for 3,000 miles. Is that a hard-and-fast rule? A clause was inserted there that in special cases a departure from it might be allowed. What did they have in mind in referring to special cases? Drought and other great catastrophes. How did the Interstate Commerce Commission interpret that proposition?

They made it the rule that every time a man asked for the exception they would give it to him. There has been nothing in the act about competition. It was in special cases that the commission might allow a departure. The act was changed in 1910 and again in 1920, and the Senator from Iowa [Mr. CUMMINGS], at the time it was amended in 1920, said:

We have added to it a provision that the more distant charge must be reasonably compensatory—

And he stated on the floor that when he said "reasonably compensatory" it meant that it had to return its fair proportion of the burden of the road. He said more than that, that it not only had to pay the actual cost but it had to pay something toward dividends and something toward the interest on the indebtedness.

What did the Interstate Commerce Commission do? They interpreted it as meaning exactly what the act had meant before and held that there was no change. Under that ruling they kept the boats off the Mississippi River, and they never came back, because there was a threat. Up to 1918 they had the long-and-short haul on the coast, and they had it there to stop the transportation through the Panama Canal. We would

never have had any of it there if that ruling had remained in effect, but when the war came on and all the ships came off the Pacific coast the railroads wanted to raise their rates to the coast. The Interstate Commerce Commission dissolved that ruling, and every railroad raised its rates the very minute the ruling was dissolved. When 6,000,000 tons of shipping are passing through the Panama Canal the railroads are seeking to change their rates, for the purpose of keeping the 6,000,000 tons from going through the canal. It is of more interest to the Senators from the coast than it is to us in the interior, and yet we of the interior are benefited by every bit of water transportation in this country, because water transportation is the cheapest in the world, and we can not reduce the cost of transportation at one place without affecting it everywhere. I am perfectly astounded that those who live on the great rivers of this country, who have a program now to make them the great highways of the world, who are urging this Government to spend hundreds of millions of dollars for the benefit of transportation so that they may cheapen the transportation of their products, are now arguing here that there shall be no restriction on competition between railroads and water.

I want to say this in conclusion: That Senators will find, just as surely as they live, that when the Government starts in to improve the Ohio, the Missouri, and the Mississippi Rivers, when the representatives of the States to be affected come before the Congress of the United States and ask that the people be taxed hundreds of millions of dollars; when Senators rise here and argue that a rate may be put in against the 47 articles that they may carry, so as to stop them, they are going to be met with opposition, based on principle, and the speeches they have made to-day will be thrown in their faces, and there will be enough patriotic men here to say that the Congress can not appropriate money that will not accomplish anything, that they can not appropriate money for the purpose of a "pork barrel," to be spent in the various communities of this country, without bringing about transportation.

Mr. GOODING. Mr. President, I desire to clear up a question that was raised by the Senator from Illinois [Mr. DENVER]. I want to read into the Record the amendment made in 1920 to the fourth section, so that we will have this matter of circuitous roads clear, so that there will not be any idea that this bill would in any way interfere with the present situation of the railroads. I want to make that clear, because there is propaganda going on all the time, emanating from the railroads, to the effect that it would interfere with them. Many Senators have been disturbed and have come to me about what is going to happen in their States if this bill passes. The amendment to the fourth section, adopted in 1920, is as follows:

But in exercising the authority conferred upon it in this proviso the commission shall not permit the establishment of any charge to or from the more distant point that is not reasonably compensatory for the service performed; and if a circuitous rail line or route is, because of such circuitry, granted authority to meet the charges of a more direct line or route to or from intermediate points on its line, the authority shall not include intermediate points as to which the haul of the petitioning line or route is no longer than that of the direct line or route between the competitive points; and no such authorization shall be granted on account of merely potential water competition not actually in existence.

It seems to me that should clear the atmosphere. I did not misunderstand the Senator from Illinois—I clearly understood him and I am sure the Record will bear me out that he said if my bill passed, where there are two or three or more railroads entering Chicago, the shorter line would have the bulk of the freight. The Senator is entirely mistaken in that matter.

Just before we adjourned last evening the junior Senator from Ohio [Mr. FESS] made the statement that he understood me to say that no part of the country suffered from violations, except the interior territory of the West. The Senator is entirely mistaken. I did say that there were no violations on the transcontinental railroads westbound to meet the Panama Canal traffic, but I did say that the country was full of violations as far as the West was concerned and as far as the South was concerned.

Mr. FESS. Mr. President, will the Senator yield?

Mr. GOODING. I will yield; but permit me to state that I did say further that there were no violations east of Chicago to meet water transportation, with the exception of some violations put on recently in regard to coal.

Mr. FESS. Will the Senator indicate the attitude of the various Senators representing the particular districts where fourth-section relief is being granted?

Mr. GOODING. I will let Senators from those districts indicate their own position. If the Senator from Ohio knows of any violations east of Chicago, with the exception of those

that have been mentioned in regard to coal, I would like to have him put it into the Record. There are hundreds of circuitous violations, but there are none to meet water transportation that destroy industries in the interior. That is my information from the Interstate Commerce Commission. If the Senator has information as to any specific violations, will he put them into the Record?

Mr. FESS. We will have the vote to-morrow.

Mr. GOODING. The Senator is talking about a vote—

Mr. FESS. I want to know the attitude of Senators who represent the sections where fourth-section relief is being granted.

Mr. GOODING. I do not know how Senators who represent communities like the coast cities will vote, but I do not believe any of them will vote against this bill. That is my opinion.

Mr. FESS. The Senator is very optimistic.

Mr. GOODING. Yes, I am; and I want to discuss that optimism of mine, to which the Senator has referred, before I get through with my remarks.

Mr. FESS. I will enjoy it.

Mr. GOODING. So will the Senate. I want to call the attention of the Senate now to some violations eastbound, as against the Panama Canal, and I would especially like to have the Senator from California [Mr. SHORTRIDGE] remain in the Chamber just a few minutes, if he will, while I call his attention to them. I want to call his attention to beans, if you please. The rate on beans is 70 cents per hundred from ports in California over the Southern Pacific to Galveston, and by boat from Galveston to New York, but from interior points in California and in Arizona the rate is \$1.05 per hundred.

Mr. SHORTRIDGE. To what points?

Mr. GOODING. I am talking about the rate on beans over the Southern Pacific by rail to Galveston and by boat to New York from California ports. The rate on canned goods is 70 cents per hundred, but from interior points in California and Arizona the rate is \$1.05 per hundred. But that is not all; I will go a little further. On dried fruit from San Francisco the rate is 80 cents per hundred, but from the interior points in California and Arizona the rate is \$1.25 per hundred.

Rice! I am advised that some day they may grow rice in Arizona, for they have the climate and the water, and rice can be grown in southern California.

Mr. SHORTRIDGE. California is the second rice-producing State in the Union.

Mr. GOODING. Of course, California as well as Idaho is in the West, and I think that next to Idaho, California is the greatest State in the Union.

The rate on rice is 70 cents from San Francisco over the Southern Pacific to Galveston, and by boat to New York, but from interior points it is 92 cents a hundred.

Now I want to call attention to some on the northern line.

Mr. SHORTRIDGE. Touching the last item the Senator mentioned, will he have the goodness to state that again?

Mr. GOODING. On rice?

Mr. SHORTRIDGE. Yes.

Mr. GOODING. Seventy cents a hundred.

Mr. SHORTRIDGE. From where to where?

Mr. GOODING. From San Francisco to Galveston over the Southern Pacific, and from Galveston by boat to New York. The rate from the interior, however, and from Arizona is 92 cents a hundred.

Here is information as to something on the northern line, on the Southern Pacific. But I will first take canned goods. From San Francisco to Dunnigan, Calif., a distance of 102 miles, the rate on canned goods is 31½ cents a hundred. A car earns \$189, and the rate per car mile is \$1.85 a hundred. In other words, for every mile a car is hauled from San Francisco to Dunnigan, a distance of 102 miles, it pays the railroad \$1.85 for each mile.

Mr. SHORTRIDGE. What is the conclusion to be drawn from that fact?

Mr. GOODING. If the Senator will wait until I get through with this table I will give him the conclusion. The conclusion is that there is a rank discrimination against the people of Dunnigan.

Mr. FESS. Mr. President, will the Senator yield?

Mr. GOODING. Wait until I get through with this table. To Raygold, Oreg., 425 miles from San Francisco, the rate on canned goods is \$1.03 a hundred, and the car earns \$619. The rate per car-mile is \$1.45.

To Goldhill, Oreg., 431 miles, the rate is \$1.04, and the car earns \$624. The car-mile rate is \$1.45 a hundred.

To Portland, a distance from San Francisco of 745 miles, the rate on canned goods is 28½ cents a hundred, and the car earns per mile 22.9 cents.

I want to ask the Senators from California if they can go back home and look their people in the face and justify the unreasonable rates the Southern Pacific charges, and then justify the rate when it hauls the freight on to Portland for about one-eighth the rate per car-mile that the good citizens of Dunnigan, Calif., pay. We can not build citizenship on such a discrimination as that.

Let me give the figures on automobiles.

Mr. SHORTRIDGE. The Senator put a direct question to me, and I reply that I shall be able to return to California and look the people in the face.

Mr. GOODING. Maybe the Senator will.

Mr. SHORTRIDGE. And I am sure my colleague [Mr. JOHNSON] will be able to do so likewise.

Mr. GOODING. But the Senator will have a hard time when he goes back there if he tells the people that he voted against giving them this relief. The point I am making is that every American citizen is entitled to a square deal, and I do not care whether he lives in the interior or in a great city. When we discriminate against a great body of citizens like this Government has permitted the Interstate Commerce Commission to do with relation to the interior, we are destroying its citizenship.

Mr. FESS. Mr. President, will the Senator yield?

Mr. GOODING. Wait until I get through with these tables and then I will yield. The Senator will have plenty of time to question me when I finish with these tables. Let me finish with reference to the Southern Pacific and then I will yield to the Senator.

On automobiles from San Francisco to Medford, a distance of 415 miles, the rate is \$1.905 per hundred pounds; a car earns \$190.50 and each automobile pays a freight of \$63.50. To Grants Pass, 447 miles from San Francisco, the rate is \$2 per hundred pounds, and a car of 10,000 pounds, which we estimate for automobiles, earns \$200. Each automobile from San Francisco to Grants Pass pays \$66.66.

Mr. SHORTRIDGE. What is the origin of the figures the Senator is giving?

Mr. GOODING. The Interstate Commerce Commission. I am not presenting anything here that is not furnished to me from the Interstate Commerce Commission. I will try to be correct as I proceed and not make any misstatements. I am sure the Senator wants the story, and that is why I want to get through. I know the Senator is just as conscientious and just as sincere in representing his people here as I am in representing mine, but how any Senator can justify building up a great city like San Francisco or any other coast city at the expense of the interior of his own State I can not understand, and I do not think any Senator will do it on the Pacific coast.

Mr. SHORTRIDGE. I understand the Senator does not want to be interrupted now?

Mr. GOODING. Let me finish the Southern Pacific story. To Roseburg, a distance from San Francisco of 564 miles, the rate is \$1.73, a car earns \$173.50, and each automobile pays \$57.50. To Portland, 746 miles, the rate is 72 cents per hundred, a car earns \$72, and the rate for each automobile is \$24.

Let me tell the Senator something about this great railroad, the Southern Pacific. If it needed the revenue, it would not be right even then to charge such rates, but no railroad in America is more prosperous or has been more prosperous than the Southern Pacific. For the period of five years from 1910 to 1914, inclusive, the Southern Pacific paid in dividends \$82,679,267. At the end of that time in 1914 the Southern Pacific had a surplus of \$107,355,058 in its treasury. During the five-year period from 1920 to 1924, inclusive, the Southern Pacific paid in dividends \$101,115,039, and in 1924 it had increased its surplus in the treasury to \$210,382,595. The Southern Pacific paid \$18,435,000 more in dividends in that time, and increased its surplus \$103,000,000; in other words, the Southern Pacific during those years paid 6 per cent dividends, and if it had paid out the average accumulated surplus over the five years from 1910 to 1914, inclusive, it would have paid 12 per cent. Last year on maintenance of way and improvements the Southern Pacific spent \$63,979,747, about ten times the amount of its average expenditure for that period. I hope Senators thoroughly understand the situation. I shall not take the time of the Senate to read all of these increases, however.

Mr. President, I offer a table showing the amount of money spent on the Southern Pacific for maintenance of way and equipment and ask that it be printed at this point in my remarks. This table speaks for itself.

The PRESIDING OFFICER. Is there objection? There being none, the table is ordered printed.

Southern Pacific Co.—Expenditures for maintenance of way and equipment

[Interstate Commerce Commission, Bureau of Statistics]

Year ended—	Maintenance of way and structures	Maintenance of equipment	Total maintenance
June 30—			
1910.....	\$11,046,960	\$11,988,424	\$23,035,384
1911.....	11,350,393	11,066,395	22,416,788
1912.....	10,123,485	11,201,494	21,324,979
1913.....	10,151,846	13,163,050	23,314,896
1914.....	10,734,460	13,043,383	23,777,843
1915.....	10,069,225	14,311,991	24,381,216
1916.....	12,568,902	10,484,232	23,053,134
Dec. 31—			
1916.....	12,299,124	17,897,681	30,196,805
1917.....	12,425,717	17,958,019	30,383,736
1918.....	18,753,853	23,171,999	41,925,852
1919.....	25,248,202	33,062,767	58,310,969
1920.....	30,062,550	43,648,699	73,711,249
1921.....	27,467,714	34,434,874	61,902,588
1922.....	24,026,925	34,538,250	58,565,175
1923.....	27,149,922	35,761,930	62,911,852
1924.....	26,265,197	39,436,436	65,701,633
1925.....	28,132,332	35,847,415	63,979,747

Mr. GOODING. Let me refer for a moment to the Santa Fe. If the Santa Fe Railroad had paid out the accumulated surplus in its treasury since 1920 over the average amount in its treasury for the period from 1910 to 1924, inclusive, it would have paid 18 per cent dividends on its common stock and 15 per cent on its preferred stock. Of course we understand why the great railroads are keeping their money in their treasuries and have no intention of paying it out if they can find a way to keep from turning it over to the Government and dividing one-half among the leaner and poorer railroads.

Mr. WALSH. Mr. President, will the Senator from Idaho yield to me to ask the Senator from California a question?

The PRESIDING OFFICER (Mr. McNARY in the chair). Does the Senator from Idaho yield to the Senator from Montana?

Mr. GOODING. I yield.

Mr. WALSH. I was very deeply interested in what the Senator from California would say as to his contiguous interior neighborhood States when attention is called to the fact that they pay from five to ten times as much for carrying goods the shorter distances to San Francisco as people pay from Portland for carrying the greater distance.

Mr. SHORTRIDGE. At an appropriate time and in a few words I shall make reply, if I deem it necessary, to his suggestion and gratify the Senator from Montana. For the moment I remark that it is quite indifferent to a citizen of Sacramento or of Dunnigan or of Chico what price is paid for freight by a citizen of Portland, provided the California citizen's rate is reasonable and just. The question with him is, Are the rates he pays reasonable and just?

Mr. WALSH. That is the point. If the rate of 22 cents from San Francisco to Portland is reasonably compensatory—and it must of course be reasonably compensatory, or it could not be enforced and would not be in existence—how can a rate of \$1.85 to Dunnigan be a reasonable rate?

Mr. SHORTRIDGE. That would seem to be somewhat anomalous, but is not when the whole problem of rates is considered. But I do not desire now to even enter into a discussion of the whole subject matter. In point of truth, the Senator from Idaho and apparently the Senator from Montana are assuming that I have reached a final conclusion in respect to the matter.

Mr. WALSH. Not at all.

Mr. SHORTRIDGE. The argumentum ad hominem addressed to me by the Senator from Idaho seemed to proceed upon the theory that I was hostile to all the views he was expressing.

Mr. GOODING. I hope that the Senator did not get that idea at all.

Mr. WALSH. In view of the facts given by the Senator from Idaho, I assumed as a matter of course the Senator from California had an open mind on the matter.

Mr. WILLIAMS. Mr. President, may I ask the Senator from Idaho to yield to me a moment?

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Missouri?

Mr. GOODING. Certainly.

Mr. WILLIAMS. I send to the desk and ask to have read a letter received by me, written on the 18th of March, 1926, from the General Freight Service Association of St. Louis.

At the conclusion of the reading of the letter I shall ask the Senator from Idaho to permit me to say a word.

Mr. GOODING. I hope Senators will pay attention to the reading of the letter.

Mr. FESS. We have all received a copy of it.

Mr. GOODING. No; only the members of the committee received it. The Members of the Senate generally did not get it.

The PRESIDING OFFICER. Without objection the clerk will read as requested.

The Chief Clerk read as follows:

GENERAL FREIGHT SERVICE ASSOCIATION (INC.),
TRANSPORTATION AND TRAFFIC SPECIALISTS,
St. Louis, Mo., March 18, 1926.

The Gooding bill (S. 575) to amend section 4 of the interstate commerce act

Hon. GEO. H. WILLIAMS,
Senator, Washington, D. C.

MY DEAR SENATOR: Our association officials are all former railway general officers and are now engaged in the business of looking after the interests of shippers and have been so engaged for the past five years. We feel, therefore, that our opinions are entitled to consideration on such questions as are included in the subject supra.

The principle that a common carrier should not charge more for a shorter haul than it does for the longer haul, which entirely includes the shorter haul, is based upon the fact that it is and should be repugnant to all sense of fairness and justice for any common carrier to give a community a greater service at the same or lesser cost than it gives to another community intermediate. To accord anyone a greater service at the same or less cost than to another is simply one of the forms of undue discrimination which all fair-minded American citizens consider to be unfair and unjustified. It is beyond disputing that the longer haul is a greater service than the shorter haul, and in enacting the fourth section of the interstate commerce act, Congress simply amplified other sections of that law by specifically naming this kind of discrimination as being unlawful. Remember that there has been a long-and-short-haul prohibition ever since the interstate commerce act was first enacted in 1887. In fact, the interstate commerce act originally was intended primarily to remove various sorts of discriminations that had previously been practiced by the carriers in the conduct of their business.

All changes in the act from time to time were in the direction of strengthening the prohibition against the making of a lesser rate for the longer haul. The Gooding bill is another move in this direction and is to remove the possibilities now existing for the defeat of the primary purposes intended by the framers of the long-and-short-haul clause, and if not passed it will surely continue to come up until this danger of defeating the intent of the act is finally removed.

Regardless of the many aspects of this long-and-short-haul question, there can be no sound reason why a common carrier, which has the obligation to treat all shippers alike, can or should be permitted to haul freight past one man's door for another man located beyond at a lesser charge than it collects from the first man. This principle is true regardless of opinions that business policy on the part of the carrier might influence it to make a lower charge for the greater haul, because its selfish business policy must certainly give way before its paramount obligation to accord equal treatment to all.

The development of our great country and the guaranty of its continued development is absolutely dependent upon transportation arteries through which our commerce must flow or we stagnate. Adequate transportation facilities are paramount and no arguments are advanced in regard to the proper compensation to be paid to our carriers. The law amply provides for this feature. No one is averse to paying for service rendered, but all should agree that these service charges should be fair and equitable to all concerned.

Communities are entitled to the natural advantages of their locations, and if, as shipping or consuming points, they are located on or can be reached by water transportation, this is a natural advantage of which they can not be deprived; and if such water transportation provides lower transportation costs, why should they be given an artificial advantage by having the rail rates set in competition with such water rates?

Under the broad proviso in section 4 that in special cases, after investigation, the carriers may secure authority from the Interstate Commerce Commission to charge less for the longer than for the shorter haul, but in exercising this authority the commission shall not permit the establishment of any charge to or from the more distant point that is not reasonably compensatory for the service performed. This can be openly interpreted to mean that the very thing can be done which the Gooding bill will eliminate. If any charge so authorized by the commission is "reasonably compensatory" for the service performed, then why should the intermediate points be stung with charges which are thus *prima facie* "unreasonably compensatory" if we are to measure the value of the charge by the compensation to be received by the carrier for service performed?

Granting the intelligence and fairness of the commission, it still is an open channel left to their minds to administer, and the latitude is too broad for such administration unless that provision is so changed that if the carriers, in order to meet, compete, or stifle the water competition, are compelled to accord all points intermediate rates which are reasonably compensatory by using as the yardstick the reasonableness of compensation for the longer haul.

The interstate commerce act was enacted to safeguard the public against undue practice and discriminations by the carriers, and in its enforcement, which is the real test of any law, does it not in a big measure open the gates for discrimination legally authorized against interior points in favor of those places where water competition is the only cause for such application by the carriers for a reduction in their rates?

The country west of the Mississippi and Missouri Rivers out to the coast territory should be developed just as well as the coast countries, and anything which is done for these coastwise communities detrimental to the interior will in itself stifle that spirit of development, and surely, except in most exceptional cases, capital will not be induced to aid in the development of the interior.

Why are the railroads so strongly opposed to the Gooding bill?

Because it will remove the authority which can now be obtained to set up preferential-rate basis to the localities enjoying cheap water-transportation rates.

If such communities have those natural rights, is it fair to the rest of the country to do two wrong things—give them preferentially lower rail rates on the one hand and at the same time permit the carriers for their own selfish gains to stifle the water-carrying routes?

What is the idea of permitting them to set up such preferential rates for the longer hauls?

Can not those communities blessed with their natural rights and reached by water transportation exist if the rail rates are maintained in equitable ratio to the interior or shorter distances from sources of supply unless given the two-fold advantage of both water and rail lower transportation charges?

If the rates of the carriers as a whole are insufficient to produce the proper and adequate revenues, does not the law empower the commission in proper manner to take care of this situation? And should not the entire structure be measured to ascertain what, if any, increases are needed?

Does not business in general, and particularly competitive business, have enough burdens without adding a discriminatory transportation burden on business unfortunately located at interior points where it can be booted and probably destroyed if the coast localities are given these preferential rate adjustments simply to permit the rail routes to meet the water-route competition?

If the traffic to be moved costs the carriers that certain amount which has previously been considered in making the rates which are in themselves compensatory and sufficiently so to justify the rate scales, then how can a lower and preferential basis worked out "to meet water competition" be classed as "reasonably compensatory," unless this term is used by looking at the revenues through averages produced by means of higher rate levels assessed against the interior or short-haul destinations? Would that not be preferential and discriminatory as these terms were originally intended by the framers of the interstate commerce act and to all fair-minded concepts of equity and justice?

If the rates to those longer distances must be set at figures to meet the water-route competition, and such rates are prescribed by the commission as "reasonably compensatory," then why should not all communities intermediate be entitled to a scaling down to keep within the fair measure of costs for one community as against those more distant from it?

It has been said in recent debates in the Senate that the traffic moving via the Panama Canal now is but 1 per cent of the trans-continental business of this country.

Without the figures of tonnage totals moved, this percentage, as small as it is, can not be visualized; but treating it in the abstract, if this is true, then should the coast cities be benefited either actually or potentially by specially low rates on the 99 per cent of business now moving by rail?

Mind you this, that we are not advancing any statements that the Interstate Commerce Commission in administering the law as it exists would do these things, but the possibility is with us, and there is nothing in the law now which would prohibit them from so administering the law.

And for this exigent reason the Congress should enact legislation to control the policy and still leave the powers of administration to the commission. This very thing will be accomplished by the enactment into law of the Gooding bill and its sister bill in the House—the Hoch bill (H. R. 3857).

We earnestly solicit your support in favor of the Gooding bill.

Will be glad to hear from you.

Yours very truly,

W. E. MCGARRY,

Vice President and General Manager.

(Copy to Senators JAMES E. WATSON, FRANK R. GOODING, JAMES COUZENS, ROBERT B. HOWELL, W. B. PINE, ELLISON D. SMITH, KEY

PITTMAN, BURTON K. WHEELER, ALBERT B. CUMMINS, BERT M. FERNALD, SIMEON D. FESS, FREDERIC M. SACKETT, GUY D. GOFF, OSCAR W. UNDERWOOD, WILLIAM CABELL BRUCE, C. C. DILL, EARL B. MAYFIELD.)

Mr. WILLIAMS. Mr. President—

Mr. GOODING. I yield to the Senator from Missouri.

The PRESIDING OFFICER (Mr. COUZENS in the chair). Does the Senator from Idaho yield the floor?

Mr. GOODING. No; I merely yield to the Senator from Missouri for a statement.

Mr. WILLIAMS. The letter which has just been read in the hearing of the Senate was addressed to me.

Mr. BRUCE. Mr. President, I rise to a point of order.

The PRESIDING OFFICER. The Senator from Maryland will state it.

Mr. BRUCE. Is the Senator from Idaho [Mr. GOODING] yielding to an interruption, or is he for all practical purposes yielding the floor?

Mr. GOODING. The Senator from Missouri wishes to say a word in regard to the communication which has just been read. He desires to speak merely for a minute, as I understand.

The PRESIDING OFFICER. The Senator from Idaho, then, yields to the Senator from Missouri for a minute?

Mr. GOODING. I yield to the Senator from Missouri for a minute, for the purpose I have stated.

Mr. WILLIAMS. Mr. President, I merely wish to say that the letter which has been read from the Secretary's desk was sent to me; that copies of it were also sent to members of the Committee on Interstate Commerce; and that the author of the pending bill, the genial Senator from Idaho [Mr. GOODING], asked me to have the letter read because it was addressed to me.

I very much regret that I can not concur in the views expressed by the General Freight Service Association of St. Louis. It is a splendid body of men. It seems to me that the letter contains the entire argument made by the Senator from Idaho. I am quite willing to leave this matter to the intelligence and fairness of the Interstate Commerce Commission, and their intelligence and fairness are granted in this letter.

Mr. GOODING. Mr. President, it is the privilege, of course, of every Senator to entertain the views which have been indicated by the Senator from Missouri. The people of the State of Missouri, however, have not suffered from the violations of the fourth section as the people of the West have suffered and are suffering. So I can understand how the Senator from Missouri may have confidence in the Interstate Commerce Commission. Blessed as the people of his State are with water transportation and a service operated by the Government, giving the people of Missouri, or of St. Louis, at any rate, 80 per cent of the all-rail rate to New Orleans, I can readily understand how the Senator from Missouri may be satisfied to leave the situation as it is. That is not at all strange.

Mr. WILLIAMS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Idaho further yield to the Senator from Missouri?

Mr. GOODING. I yield to the Senator from Missouri.

Mr. WILLIAMS. Does the Senator from Idaho think I am correct in leaving the matter with the Interstate Commerce Commission?

Mr. GOODING. Not at all. I believe that Congress should lay down a policy for the Interstate Commerce Commission to be guided by and not leave the Interstate Commerce Commission the right to initiate policies as they do when they force the people of one section to pay more for the shorter haul than is paid by the people of another section for the longer haul. I believe that is dangerous to our form of government.

Mr. WILLIAMS. Does the Senator think as the present law is now administered and now exists it is for the best interest of the Mississippi Valley and the State of Missouri, or would the law which he proposes be better for their interest?

Mr. GOODING. I do not. The law which I have proposed would make possible the development of water transportation for Missouri. Without such legislation water transportation can not be long enjoyed. That is what the pending bill proposes to do. It merely proposes to develop water transportation. Capital is never going to invest in river craft on any river so long as the Interstate Commerce Commission is permitted to destroy such craft by rendering their operation unprofitable. That is what has been done in the past. The Senator knows that all along the Missouri and Mississippi Rivers there are river boats tied up and rotting at their wharves simply because the Interstate Commerce Commission has permitted violations of the fourth section as against river points and against the boats in operation.

Mr. WILLIAMS. Ah, yes; but the investment made by the Government and the improvement of the internal waterways of the United States had not been in progress at that time.

Mr. GOODING. Does the Senator suppose that the Government shall continue the operation of its barge lines on the Mississippi and the Warrior Rivers—

Mr. WILLIAMS. Undoubtedly.

Mr. GOODING. As a Government proposition? Is that what the Senator expects?

Mr. WILLIAMS. We understand that that is the policy of the Government?

Mr. GOODING. I do not understand that it is the policy of the Government at all. The law provided that that activity should merely be an experiment. If we are going to continue in that line, let the Government operate boats on all the rivers; let the Government proceed to work on all the rivers and improve them—the Missouri up into Montana and not merely to St. Louis, if you please.

Mr. WILLIAMS. We trust that it will go as far into Montana as may be possible.

Mr. GOODING. I do not think the American people have any thought that they are going to continue the operation of river boats by the Government or that there is going to be the operation of railroads by the Government.

Mr. WILLIAMS. I was not speaking of maintenance and operation of river craft by the Government. I was speaking about the improvement of the Mississippi and the Missouri Rivers so as to put St. Louis, St. Joseph, Kansas City, and Omaha on the map.

Mr. GOODING. Does not the Senator realize that that is impossible; that capital will not invest so long as there is danger of these violations; and that the Interstate Commerce Commission is a changing body and have permitted such violations of the fourth section in the past? I have cited several instances where they have permitted them only within the last year or two. Was the Senator in the Chamber when I read some of the violations permitted the Southern Pacific in northern California and Oregon?

Mr. WILLIAMS. Yes; but we do not anticipate anything of that kind.

Mr. GOODING. Why should the Senator not anticipate such a condition? The intermountain section has been confronted with that particular situation.

Mr. WILLIAMS. Because we are too alert.

Mr. GOODING. Because you are too strong; politically that is all.

Mr. WILLIAMS. We are too alert.

Mr. GOODING. You are "too alert"; that is a fine principle, is it not? That is a beautiful policy of government. You are too alert and too strong politically!

Mr. WILLIAMS. We are too alert to this extent, that if a rate should be lowered so as to attempt to kill river transportation, no doubt the Chambers of Commerce of St. Louis and Kansas City and St. Joseph would appear before the Interstate Commerce Commission and show what the effect of such a rate would be, and it would not be put into effect.

Mr. GOODING. Such rates have been put into effect, however, so far as we of the intermountain section are concerned. We are not strong politically, and for that reason suffer from the selfish interests.

Mr. WALSH. Mr. President—

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Montana?

Mr. GOODING. I yield to the Senator from Montana.

Mr. WALSH. I am very much gratified by the interest manifested by the Senator from Missouri in the improvement of the Missouri River up into the State of Montana. In the old days there was a very large traffic established on that river from St. Louis to Fort Benton, the head of navigation on the Missouri River. That is all gone now; there is no more of it. I trust, however, that some day or other it will be restored and that that river will be made a highway of traffic; but if the Great Northern Railway is permitted to charge a lower rate to Fort Benton and to intermediate points between there and St. Paul, and to charge a rate so low as to be merely compensatory to the railroad, how does the Senator from Missouri imagine that we can restore water transportation between St. Louis and Fort Benton?

Mr. WILLIAMS. Mr. President, it is always a great pleasure to me to do anything that is gratifying to the Senator from Montana. The development of the waterways from New Orleans to St. Louis, from St. Louis to Kansas City, from Kansas City to St. Joseph and Fort Benton, if it shall come as the population of the country increases and intensifies, no doubt at the intermediate points to Fort Benton will indicate very force-

fully to the Interstate Commerce Commission exactly what the effect of that rate would be; but they could not do anything at all, neither could Fort Benton receive any benefit from the rates which the Senator admits are reasonably compensatory, if the inflexibility of section 4 were fixed by the enactment of this bill.

Mr. WALSH. I was not speaking about the interior points at all. I was speaking about how the Senator expects that we shall be able to maintain water transportation between St. Louis and Fort Benton if the railroads running from St. Louis—the Burlington, for instance, having almost a direct line to Fort Benton—are authorized to charge a rate through to Fort Benton in competition with the water-borne traffic that will be barely compensatory.

Mr. WILLIAMS. My understanding is that it now costs about one-tenth as much to carry freight by water on the Great Lakes as it does to carry the same freight by rail; that it costs about one-fifth as much to carry freight on the Mississippi as by rail. The old rule of thumb was that it cost one-third as much to carry oil, for example, in pipe lines as by water and one-third as much by water as by rail. My understanding is that the figures have changed somewhat and that the ratio has increased so that it costs even less proportionally to carry freight by water than by rail; and it is a fact that if the rate fixed by the railroads to Fort Benton is reasonably compensatory, then capital may invest in river craft and do business at a profit in competition with a rail rate which is reasonably compensatory.

Mr. WALSH. It was not possible in the past, because the river transportation is gone.

Mr. WILLIAMS. Because the river was not improved; the channel was not canalized.

Mr. WALSH. The river was not improved prior to the advent of the railroads, either.

Mr. WILLIAMS. No. It is true that in the old days the Mississippi River Transportation Co. was put out of business by the railroads, under authority of the Interstate Commerce Commission, through a sudden drop in rates, which surely would not be permitted now.

Mr. GOODING. Oh, they are permitted all the time. I was just citing some instances for the Senator, but he will not accept them because they are in the West.

Mr. WILLIAMS. The Senator misunderstands me if he thinks I have any feeling against the West. I live in the West.

Mr. SMOOT. Mr. President—

Mr. GOODING. I yield to the Senator from Utah.

Mr. SMOOT. The Senator from Missouri speaks of the rivers not being improved. I can not help recalling the fact that about 18 years ago, when we had a river and harbor bill under consideration in this body, I had a very eminent engineer make certain estimates for me, and I think at that time I called attention to them. The estimates showed that the appropriations the Government had made for the improvement of the Mississippi River, as admitted then by the proponents of the appropriations, would have built two railroad tracks all the way from St. Louis to New Orleans, one on each side of the river, and the interest upon the difference would have allowed those railroads to carry goods for nothing for the whole distance.

As far as the Mississippi River is concerned, Congress never will for the next hundred years cease appropriating money to improve the Mississippi River. If any of us should be living a hundred years from now and could look back on the speeches made in the past in relation to the improvement of the Mississippi River he would say, "There has not been any change at all. We are spending just as much money on the Mississippi to-day as we did a hundred years ago."

Mr. GOODING. And a hundred years ago, Mr. President, transportation on our rivers was a mighty factor in the commerce of this country.

Mr. WILLIAMS. Mr. President, will the Senator yield?

Mr. GOODING. Certainly.

Mr. WILLIAMS. Does not the Senator think that conditions have changed somewhat in 18 years in the development of river transportation so far as its availability is concerned?

Mr. SMOOT. I hope so, because I know that river transportation on some of the rivers we are appropriating for has cost the Government of the United States more than if the Government had bought every single ounce of commerce that passed over those rivers and had given it to the people to whom it was shipped. It would have been cheaper for the Government to do it.

Mr. WILLIAMS. That may be true. I can not question that, because the Senator is an expert on figures and I am not; but does not the Senator think that if my position is correct with

respect to this bill the Senators from Louisiana, Mississippi, Arkansas, Tennessee, Kentucky, Missouri, Illinois, Iowa, Michigan, Kansas, and Nebraska should all vote against the Gooding bill?

Mr. SMOOT. I certainly think they should all vote for it. If the Senator's position is correct that the Interstate Commerce Commission is not interfering at all and that it is doing justice to all sections of the country we want then to have the law say that this shall be the policy. As long as the power is lodged in some agency of the Government to say that the rates shall be changed, and that you can charge, if you desire or if the commission so decides, a greater rate for a short haul than for a long one, who is ever going to invest his money in any enterprise to build up a State or a city that is so situated? It would be the last thing in the world that I would ever think of doing if I had not some assurance that I was not going to be destroyed through rate making. I could tell the Senator some of the experiences I have had. I know what this discrimination is, because I have experienced it, and I have had the hardest time in the world to keep the institution's head above water.

Mr. WILLIAMS. Mr. President—

The PRESIDING OFFICER (Mr. JONES of Washington in the chair). Does the Senator from Idaho further yield to the Senator from Missouri?

Mr. GOODING. I will yield just for a remark. I can not continue to yield, because I still have considerable to say.

Mr. WILLIAMS. I should like to ask the Senator from Utah whether he was in the Chamber the other day when the Senator from Ohio [Mr. Fess] was discussing the rate from the West Virginia coal mines to Boston, and from the Clearfield coal mines of western Pennsylvania to Boston?

Mr. SMOOT. No; I was not in the Chamber.

Mr. GOODING. Let me ask the Senator from Missouri a question. Does he justify charging the people in the interior, in small communities, a higher freight rate for the coal they burn than is charged in the great cities that have water transportation? Does the Senator justify that kind of thing?

Mr. WILLIAMS. Mr. President, it is my absolute belief that if the Clearfield coal rate to Boston, Mass., made \$4.25 a long ton by reason of the water competition over Hampton Roads, were not made \$4.25 a ton, the people of Springfield, Mass., would have to pay more than \$4.85 a ton, and therefore that the people of Springfield, Mass., were not damaged but were aided by a reasonably compensatory rate given to the railroads on the all-rail route from western Pennsylvania to Boston, Mass.

Mr. GOODING. What about the people in the interior?

Mr. WILLIAMS. I am speaking of the people in the interior.

Mr. GOODING. Not at all.

Mr. WILLIAMS. Springfield, Mass., is in the interior.

Mr. GOODING. Yes; that is in the interior, but they were not benefited. They simply paid an unreasonable freight rate, which all interior points do pay when there is discrimination, to make up the losses the railroads have sustained by meeting water competition. That has been the history of it.

Mr. WILLIAMS. They could not make up a loss if the rate was reasonably compensatory.

Mr. GOODING. Yes; but they do not get reasonably compensatory rates.

Mr. WILLIAMS. The Interstate Commerce Commission held that they do.

Mr. GOODING. Yes; the Interstate Commerce Commission holds that any rate that is an out-of-pocket rate is a reasonably compensatory rate. An out-of-pocket rate may mean the coal the engine burns, the pay of the engineer, the operating expense, and say nothing about maintenance of way, overhead, or interest on bonds. If it earns any part of the cost of operating the road, it may be accepted as an out-of-pocket rate.

Mr. WILLIAMS. And therefore reasonably compensatory.

Mr. GOODING. Not reasonably compensatory at all. A reasonably compensatory rate, as discussed here on the floor of the Senate by the men who passed the amendment to the fourth section in 1920, is a rate that would be fully compensatory—and if the Senator will read the Record he will find that that is true—a rate that would pay all the operating expenses of the railroad, including interest on the investment, and dividends.

Mr. FESS. Mr. President, if that were true, why would the Senator have any exception at all to the fourth section?

Mr. GOODING. Oh, well, what does the Interstate Commerce Commission do? The Senator from Missouri answered the whole question when he said they were strong enough to protect themselves; they are not uneasy about any violations.

Mr. WILLIAMS. I said "alert."

Mr. GOODING. Well, that meant strong politically.

Mr. WILLIAMS. No.

Mr. GOODING. That is the statement I have made all the time, that the people in the East are so strong politically that there is not any danger of any violations in the East. They have pushed them on to the West all the time.

Mr. WILLIAMS. Mr. President—

Mr. GOODING. I am not going to yield any more now, because there are other Senators waiting to be heard.

Mr. WILLIAMS. The Senator does not charge me with being from the East?

Mr. GOODING. We do not think of you as being in the West when we get out West or out where the West begins. What is the difference between "alert" and being strong?

Mr. FESS. "Alert" means to be sufficiently discriminatory to see the advantage of the fourth section.

Mr. GOODING. And permit it. Would the Senator permit violations against St. Louis? Would you permit it at all against your town of Cleveland?

Mr. FESS. If it were for the public welfare, I would.

Mr. GOODING. Oh, yes; but would it be for the public welfare?

Mr. FESS. Let me say to the Senator—

Mr. GOODING. Let me ask the question: Would it be for the public welfare of Idaho or Salt Lake City, Utah?

Mr. FESS. It is to the interest of Idaho to find an opportunity to ship out her potatoes at a less cost than they now charge her because of the empty cars that are forced to go back West to bring out the potatoes.

Mr. GOODING. Oh, there is nothing unusual about the empty-car movement in that part of the country, as the Senator knows if he has read the decision on the pending violations here on 47 different commodities.

Mr. FESS. The Senator can not convince anybody in the Senate that to carry the empty cars West at a dead loss does not mean a loss to those who must use the cars loaded when they have taken the products for which the empty cars have gone to the West.

Mr. GOODING. Does the Senator take the word of a member of the Interstate Commerce Commission, the chairman of it?

Mr. FESS. I do not allow anybody to say what I shall think about it. The facts are what I think.

Mr. GOODING. You have had so much confidence in the Interstate Commerce Commission; will you permit me to read what the chairman of the commission says?

Mr. FESS. I have more confidence in the Interstate Commerce Commission than I have in any Senator here on this subject.

Mr. GOODING. All right, then, let me read you what Mr. Eastman, chairman of the Interstate Commerce Commission, says on page 440 of the Interstate Commerce Commission's report denying the transcontinental railroads' application for the violation of the fourth section on 47 different commodities. In speaking of the western roads, Mr. Eastman says:

The notion that there is anything unique about the movement of empty cars in the latter territory is quite without foundation.

Mr. FESS. That statement—

Mr. GOODING. Just wait a minute, please.

Mr. FESS. I do not know what he means by it, but that statement is not borne out by the facts, because if 75 per cent of the cars that go west to be loaded with lumber must go as empty cars it goes without saying that there is a burden on the traffic that would be relieved if those cars could have been loaded, even though it were at a small rate.

Mr. GOODING. I placed in the Record figures which showed the empty-car movement on all of the transcontinental railroads—and the Senator was here when I put them in, and he heard me read them—that the empty-car movement on the western lines was lighter than in any other part of the United States. The Senator is not willing to accept those figures; and here comes the commission—

Mr. FESS. I put in last night the same statement covering the empty cars—

Mr. GOODING. Yes; you put in a table showing the cost of the empty-car movement.

Mr. FESS. Yes.

Mr. GOODING. You did not show the volume. I showed the volume—that the empty-car movement in the West was anywhere from 2 to 4 per cent less than in any other part of the United States. The Senator will not accept that, will he?

Mr. FESS. Will the Senator tell me how it is possible that there will not be an empty-car movement west when the east-

bound traffic is so much larger than the westbound traffic? Please explain that. How is it possible that there will not be a great empty-car movement west when the eastbound traffic is so much greater than the westbound traffic?

Mr. GOODING. That is true in every part of this country. On every railroad the average empty-car movement is from 24 to 33 per cent.

Mr. FESS. For lumber it is 75 per cent in the West.

Mr. GOODING. I am talking about the average going west and the average going east. Here in the East and in the South you have an empty-car movement of 34 per cent and in the West we have an empty-car movement of about 28 to 33 per cent. Those figures are furnished by the commission. I am not going to discuss that, because those are the figures and those are the facts furnished by the Interstate Commerce Commission and the Senator should accept it.

Mr. SMOOT and Mr. KING addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Idaho yield, and, if so, to whom?

Mr. GOODING. I yield first to the senior Senator from Utah.

Mr. SMOOT. The Senator from Idaho does not quite understand the situation. What right have the people in Idaho to do anything but raise potatoes?

Mr. GOODING. Why, of course! That is all they want us to do.

Mr. SMOOT. What right have they to go into the manufacturing business to interfere with somebody else? They are there for the purpose of raising wheat and potatoes and nothing else.

Mr. GOODING. To be sure.

Now I yield to the junior Senator from Utah.

Mr. KING. No; I will not ask the Senator to yield to me at this time.

Mr. GOODING. The Senator was in the Chamber when I put the dividends of the Union Pacific and the Oregon Short Line into the Record. They can reduce all rates in Idaho, and especially the rate on potatoes, and then earn sufficient revenue; and I want to show the Senator from Ohio, who has fought so viciously, what the violations of the fourth section mean. I want to show him what would have happened to him if those violations had been granted instead of denied. He pleaded very eloquently for that, as we all know. He pleaded the empty-car movement and he pleaded every other argument that was made in the interest of those violations.

Mr. FESS. In the interest of the intermountain-country people.

Mr. GOODING. Yes. The Senator even went so far as to say to the Senator from Utah that if these violations were granted and these discriminations existed, or if this bill were passed and they were not granted, he would be back in a few years asking for violations.

Mr. FESS. I repeat that; and the Senator from Idaho will be the worst disappointed man 10 years from now in this Chamber if this bill passes.

Mr. GOODING. Let me tell the Senator that is just the "bunk" the railroads have been using for years, and they have succeeded in fooling some people who do not understand the deadly effect of discrimination in freight rates.

Mr. FESS. The Senator can not get anywhere by impugning any Senator here, whether it be the Ohio Senator or some one else, stating he has no judgment but what is borrowed from the railroads. That thing will go on the hustings but it will not go in the Senate.

Mr. GOODING. All right. Then I will say to the Senator that there is something wrong with his understanding of what discrimination means to any industry or to any community when he says the Senators of Utah and Idaho will be back asking for discrimination in freight rates against their industries and their States. That is what the Senator has said. The Senator knows you can destroy any industry or any city with discrimination in freight rates.

Mr. FESS. Let me ask—

Mr. GOODING. Wait a minute. The Senator says we will come back asking for discriminations against our States. Will the Senator ask for them against his State? Would the Senator accept them against his State?

Mr. FESS. If it be in the interest of the State and the general public, I would.

Mr. GOODING. The Senator knows it would not be, does he not?

Mr. FESS. No; I think it would be.

Mr. GOODING. Discriminations against your State would be to their interest?

Mr. FESS. I think they would be.

Mr. GOODING. Of course, the Senator thinks so; then I can not argue this question with him at all.

Mr. FESS. Let me ask the Senator a question now that he raised with the Senator from California. He pointed out the difference between the rate from San Francisco overland and the rate by water, and indicated that the interior point had to pay much more than San Francisco.

Mr. GOODING. Now, then, let us get back—

Mr. FESS. Wait; let me ask this question: What disadvantage is it to the interior point if the people of San Francisco are permitted the two lines of transportation, one water and the other rail? What disadvantage is it to the people in the interior if that is permitted? The people of San Francisco will have the lower rate anyway, and the interior people will not have the lower rate. They will likely have the higher rate, in order to enable the railroads to make up the loss. What advantage is it, and why deny the two lines from San Francisco?

Mr. GOODING. Did the Senator hear me read into the RECORD the earnings of the Southern Pacific Railroad?

Mr. FESS. Yes; I have heard everything the Senator has said, I think.

Mr. GOODING. Does the Senator think these violations are necessary?

Mr. FESS. I have done the Senator the honor to stay in the Chamber and to listen to everything he has said.

Mr. GOODING. All right. Does the Senator know that when there is a discrimination against any community that capital will never invest in any industry in that community? We believe we have just as much right to look forward to having industries in Idaho and Utah as the people of other States. I have tried to make my position clear to the Senator. I want the people of my State to have the same rights and the same opportunities for the development of their resources that the people east of Chicago have had where the Interstate Commerce Commission has never permitted the railroads to charge more for the shorter haul than for the longer haul to meet water transportation.

The State of Utah has more coal than Pennsylvania, more iron than any other State in the Union, and yet they have not even started to develop their industries.

Mr. FESS. I was speaking about that particular section of the Senator's State that produced potatoes. I know the people in his State produce apples, and they produce lumber, and that that is one of the great producing States in the Nation.

Mr. GOODING. The quality of Idaho potatoes has become famous all over the Nation. But we want to do something besides produce agricultural crops.

Mr. FESS. They produce more than they consume; therefore they ship out more than they slip in.

Mr. GOODING. What we need is more people in Idaho to eat more of our own potatoes and give us a greater home market for everything else we produce, but we can not have a great population in Idaho as long as we have discrimination in freight rates.

I am not going to yield to the Senator any longer until I get through with the industries in Ohio; and I want to direct my remarks to the Senator.

The soap industry is a great industry in Cleveland, is it not?

Mr. FESS. And Cincinnati.

Mr. GOODING. And Cincinnati. The Senator pleaded most eloquently for those violations.

Mr. FESS. No; for the principle—

Mr. GOODING. Let me tell the Senator what would happen if the violations came about. The present rate from Cincinnati on soap is \$1.33 a hundred to Pacific-coast points. From Chicago it is \$1.25 a hundred. There is a differential between Cincinnati and Chicago of 8 cents a hundred. If the application had been granted which the Senator pleaded for so eloquently—

Mr. FESS. The principle—

Mr. GOODING. The differential on that soap from Cincinnati would be 33 cents to Pacific-coast points instead of 8 cents.

Mr. FESS. Cincinnati still would live.

Mr. GOODING. Cincinnati would not live with the discrimination. The Senator defends it, does he, and accepts it?

Mr. FESS. Certainly; I defend the principle.

Mr. GOODING. Discrimination in freight rates is not a principle; it is a violation of the spirit of the Constitution. I am not going to yield any more time, because I have a lot of discriminations that I want to cite to the Senator and show to him what would have happened to him. There would have been a lot of new faces in this Chamber if those violations had been granted. It would have paralyzed the industries east of the west line of Indiana. It is a most remarkable thing, to my

mind, that Senators should stand up and defend those violations, when their own States would have been paralyzed if they had been granted.

Mr. FESS. Mr. President, we have them—

Mr. GOODING. I am not going to yield any more. The Senator may listen, if he cares to. If he does not, I will put the figures in the RECORD, so that his people will know them.

Let us take cotton piece goods. From Cleveland the present rate is \$1.73 a hundred to Pacific coast points. From Chicago the rate is \$1.58 a hundred, there being a differential of 15 cents. If the application had been granted for which the Senator pleaded, and which he justified, the rate from Chicago would have been \$1.10, and the differential on dry goods between Chicago and Cleveland at Pacific coast points would have been 63 cents a hundred instead of 15 cents a hundred. Fine! I wish the people of Cleveland had known the story in time.

Mr. FESS. The people of Cleveland are asking me to vote against the Gooding bill.

Mr. GOODING. It is a very peculiar thing that they are.

Mr. FESS. Yes.

Mr. GOODING. Too many people all over this country are controlled very largely by the great railroad organizations, and they do not seem to dare say their souls are their own.

Mr. FESS. They ought to go to Idaho—

Mr. GOODING. Let us take wrought iron and steel pipe. From Cleveland to Pacific coast points the rate is \$1.15 a hundred. From Chicago the rate is \$1. The differential is 15 cents. If the application had been granted, the rate from Chicago would have been 80 cents a hundred and the differential on wrought-iron pipe would have been 35 cents; and what would have happened to your industries? Yet the Senator stood here and championed those violations.

Take paint. The rate to Pacific coast points from Cincinnati is \$1.40. From Chicago the rate is \$1.25. But if the application had been granted it would have been \$1 a hundred. The differential before was 15 cents, and if the applications had been granted it would have been 40 cents. What would have happened to that great paint industry at Cincinnati?

Mr. FESS. Nothing.

Mr. GOODING. It would have been wrecked, as far as the West was concerned. The Senator does not want the coast trade, then.

Let us take Indianapolis. If those violations had been granted, it would have upset all the rate structures, not only east of the west line of Indiana but even in the South. The present rate from Indianapolis on dry goods is \$1.65 a hundred. The rate from Chicago is \$1.58 per hundred, the differential being only 7 cents. But if the application for \$1.10 had been allowed, for which the Senator pleaded so eloquently, the differential would have been 55 cents a hundred as against Indianapolis on dry goods.

The present rate on soap to coast points from Indianapolis is \$1.33 a hundred. From Chicago the rate is \$1.25. If the application had been granted, the rate would have been \$1 a hundred. The differential there in that case would have been 33 cents.

Let me read the figures all the way through.

Mr. FESS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Ohio?

Mr. GOODING. I can not yield to the Senator.

The PRESIDING OFFICER. The Senator declines to yield.

Mr. GOODING. I decline to yield.

Mr. FESS. Mr. President, I rise to a point of order. The Senator seems to be talking to me constantly, and making the inquiry as to what would happen to the industries of my State. Yet he declines to allow me to answer as to what would happen.

Mr. GOODING. The Senator has taken up a good deal of my time and I am glad he has.

The PRESIDING OFFICER. The Chair does not sustain the point of order. The Senator declines to yield.

Mr. GOODING. I will read all the differentials, with relation to the different towns, and what would have happened if the violations had been allowed.

On bar iron the present differential between Cleveland and Chicago is 15 cents. If the applications had been granted, it would have been 30 cents.

On bolts and nuts the present differential at Pittsburgh is 15 cents. If violations had been granted, it would have been 34 cents.

On iron and steel from La Porte, Ind., the differential to the Pacific coast points is 8 cents. If the violations had been granted, it would have been 17 cents.

I shall not take the time to read all of these, but at the present time the differential is from 8 to 15 cents; and if the violations had been granted, they would have been anywhere from 17 to 40 cents.

Let us take lard and lard substitutes. From Indianapolis, Ind., the differential at the present time is 8 cents. If the violations had been granted, it would have been 25 cents.

Paper and paper articles. From Kalamazoo, Mich., the present differential is 8 cents. If violations had been granted, it would have been 32 cents.

The Senator did not know about this destruction that would have come to his State and the States east of the west line of Indiana when he was speaking so eloquently for those violations.

Mr. FESS. Mr. President, will the Senator yield?

Mr. GOODING. Yes; I yield.

Mr. FESS. The thing in which Ohio and her people are interested is the employment of all the facilities of transportation. Their interests will be better served if we can employ both the water and rail routes, whether it be part rail and part water, or whether it be all rail and all water, and for that reason Ohio is opposed to the Senator's proposal.

Mr. GOODING. If the people of Ohio understood what those violations meant to the State they would not be opposed to this bill. If those violations had been granted, I want to tell the Senator, they would have stormed the Capitol here. Their industries would have been paralyzed. Make no mistake about that.

Let us see what would have happened to Charleston, Knoxville, and Birmingham. The present rate on ammunition to Pacific coast points is \$2.03 a hundred. The present rate to Chicago is \$1.40. The differential at present is 63 cents a hundred. If the proposed violations had been granted to Chicago, for which the Senator pleaded so eloquently, let me say again that the differential between Chicago and Charleston would have been 93 cents a hundred.

Take Knoxville. The present rate on ammunition is \$1.87½ a hundred. The rate to Chicago is \$1.40 a hundred. The differential is 47½ cents. If the violations had been granted the differential at Knoxville would have been 77½ cents per hundred.

Take Birmingham. The present rate is \$1.80. The difference at the present time between the rate to Pacific coast points from Chicago and the rate from Birmingham is 40 cents a hundred. If the violations had been granted the difference would have been 70 cents per hundred pounds. It is a most remarkable thing to my mind that we find southern and eastern Senators pleading and fighting for these violations, defending them and justifying them, and being opposed to my bill.

Mr. President, I offer for the Record the following table which shows the proposed reduction and difference in rates from Chicago to Pacific coast points as applied for in the application of the western transcontinental carriers, without a like reduction from points of origin east and south of Chicago. This table shows conclusively that the proposed violations of the fourth section of the interstate commerce act to meet water transportation through the Panama Canal in favor of Chicago would disorganize and disrupt the rate structure in all of the industrial districts of the country.

THE PRESIDING OFFICER. Is there objection?

There being no objection, the table is ordered printed.

Present and proposed rates and differences in rates per 100 pounds to Pacific coast from the points shown below

Commodity	From points of origin	Present rate	Present difference in favor of Chicago	Proposed rate	Proposed difference in favor of Chicago
Dry goods: Cotton piece goods, etc.	Chicago	\$1.58		\$1.10	
	New York	1.87½	\$0.29½	1.87½	\$0.77½
	Pittsburgh	1.73	.15	1.73	.63
	Detroit	1.65	.07	1.65	.55
	Charleston	1.87½	.29½	1.87½	.77½
	Knoxville	1.73	.15	1.73	.63
	Birmingham	1.65	.07	1.65	.55
	Cleveland	1.73	.15	1.73	.63
	Indianapolis	1.65	.07	1.65	.55
	Fort Wayne	1.65	.07	1.65	.55
	Nashville	1.65	.07	1.46½	.36½
	Athens, Ala.	1.65	.07	1.61	.41
	Jackson, Tenn.	1.65	.07	1.48½	.38½
Iron and steel: Bars, bands, hoops	Chicago	1.00		.80	
	New York	1.30	.30	1.30	.50
	Pittsburgh	1.15	.15	1.15	.35
	Detroit	1.08	.08	1.08	.28
	Charleston	1.65	.65	1.65	.85
	Knoxville	1.50	.50	1.50	.70
	Birmingham	1.00		1.00	.20
	Cleveland	1.15	.15	1.10	.30

Present and proposed rates and differences in rates per 100 pounds to Pacific coast from the points shown below—Continued

Commodity	From points of origin	Present rate	Present difference in favor of Chicago	Proposed rate	Proposed difference in favor of Chicago
Iron and steel—Continued. Bands (pipes) rods (pipes) etc.	Chicago	\$1.20		\$0.85	
	New York	1.50	.30	1.50	.65
	Pittsburgh	1.35	.15	1.35	.50
	Detroit	1.28	.08	1.28	.43
	Charleston	1.65	.45	1.65	.80
	Knoxville	1.50	.30	1.50	.65
	Birmingham	1.42½	.22½	1.42½	.57½
	South Bend	1.28	.08	1.03½	.18½
	Lorain, Ohio	1.35	.15	1.14	.29
	Mansfield, Ohio	1.35	.15	1.13½	.28½
	Columbus, Ohio	1.35	.15	1.14	.29
	Indianapolis	1.28	.08	1.10	.25
	Chicago	1.00		.80	
Wrought iron and steel pipe.	Cleveland	1.15	.15	1.15	.35
	Chicago	1.00		.80	
Wrought-iron pipe	Indianapolis	1.08	.08	1.08	.28
	Fort Wayne	1.08	.08	1.08	.28
Plates and sheet iron	Chicago	1.00		.80	
	Columbus	1.15	.15	1.09	.29
Pressed steel car sides, etc. (80,000 pounds).	Chicago	1.00		.80	
	South Bend	1.08	.08	.98½	.18½
Structural iron	Chicago	1.00		.80	
	Elkhart, Ind.	1.08	.08	1.00	.20
Bolts, nuts, etc.	Chicago	1.00		.80	
	Pittsburgh	1.15	.15	1.14	.34
Billets, blooms, etc.	Chicago	1.00		.80	
	Barberton, Ohio	1.15	.15	1.10	.30
Nails, spikes, etc. (80,000 pounds).	Chicago	1.00		.80	
	Lorain, Ohio	1.15	.15	1.09	.29
Rail fastenings	Chicago	1.00		.80	
	Mansfield, Ohio	1.15	.15	1.08½	.28½
Horseshoes	Chicago	1.00		.80	
	Dover, Ohio	1.15	.15	1.11	.31
Paint, etc.	Chicago	1.25		1.00	
	New York	1.55	.30	1.55	.55
	Pittsburgh	1.40	.15	1.40	.40
	Detroit	1.33	.08	1.33	.33
	Charleston	1.65	.40	1.65	.65
	Knoxville	1.50	.25	1.50	.50
	Birmingham	1.42½	.17½	1.42½	.42½
	Cincinnati	1.40	.15	1.40	.40
	Indianapolis	1.33	.08	1.33	.33
	Fort Wayne	1.33	.08	1.33	.33
Paper and paper articles: Bags, wrapping, etc.	Chicago	1.25		1.00	
	New York	1.55	.30	1.55	.55
	Pittsburgh	1.40	.15	1.40	.40
	Detroit	1.33	.08	1.33	.33
	Charleston	1.87½	.62½	1.87½	.87½
	Knoxville	1.73	.48	1.73	.73
	Birmingham	1.65	.40	1.65	.65
	Chicago	1.25		1.00	
Lining, carpet	New York	1.55	.30	1.55	.55
	Pittsburgh	1.40	.15	1.40	.40
	Detroit	1.33	.08	1.33	.33
	Charleston	1.73	.48	1.73	.73
	Knoxville	1.58	.33	1.58	.58
	Birmingham	1.50	.25	1.50	.50
Books	Chicago	1.25		1.00	
	New York	1.55	.30	1.55	.55
	Pittsburgh	1.40	.15	1.40	.40
	Detroit	1.33	.08	1.33	.33
	Charleston	1.73	.48	1.73	.73
	Knoxville	1.58	.33	1.58	.58
	Birmingham	1.50	.25	1.50	.50
	Chicago	1.35		1.00	
Wall paper, etc.	New York	1.55	.20	1.55	.55
	Pittsburgh	1.50	.15	1.50	.50
	Detroit	1.43	.08	1.43	.43
	Charleston	1.87½	.52½	1.87½	.87½
	Knoxville	1.73	.38	1.73	.73
	Birmingham	1.65	.30	1.65	.65
Lard and lard substitutes	Chicago	1.60		1.20	
	New York	2.40	.80	2.40	1.20
	Pittsburgh	1.76	.16	1.76	.56
	Detroit	1.68	.08	1.68	.48
	Charleston	2.40	.80	2.40	1.20
	Knoxville	2.25	.65	2.25	1.05
	Birmingham	2.18	.58	2.18	.98
	Chicago	1.25		1.00	
Soap	New York	1.55	.30	1.55	.55
	Pittsburgh	1.40	.15	1.40	.40
	Detroit	1.33	.08	1.33	.33
	Charleston	1.73	.48	1.73	.73
	Knoxville	1.58	.33	1.58	.58
	Birmingham	1.50	.25	1.50	.50
	Indianapolis	1.33	.08	1.33	.33
	Fort Wayne	1.33	.08	1.33	.33
	Cincinnati	1.33	.08	1.33	.33
	Chicago	1.20		.90	
Cable, rope	New York	1.50	.30	1.50	.60
	Pittsburgh	1.35	.15	1.35	.45
	Detroit	1.28	.08	1.28	.38
	Charleston	1.65	.45	1.65	.75
	Knoxville	1.50	.30	1.50	.60
	Birmingham	1.42½	.22½	1.42½	.52½

Mr. President, I offer for the RECORD another table showing the present differences between a number of commodities east

of Chicago and the Chicago rate to the Pacific coast. This table also shows the difference that would have existed between these same points east of Chicago and the Chicago rate to the Pacific coast if the application of the transcontinental railroads had been granted.

I ask that this table be printed in the Record.

The PRESIDING OFFICER. Is there objection?

There being no objection, the table was ordered to be printed in the Record, as follows:

Commodity	Points of origin	Present differential	Proposed differential
Iron and steel articles	La Porte, Ind.	\$0.08	\$0.17
Pipe, wrought iron or steel (60,000 pounds)	South Bend, Ind.	.08	.18½
Pipe, cast iron and connections	Lorain, Ohio	.15	.20
Pipe fittings and connections	Elkhart, Ind.	.08	.20
Axle wheels and forgings	Valparaiso, Ind.	.08	.17
Castings and forgings, rough, etc.	Columbus, Ohio	.15	.20
Do	South Bend, Ind.	.08	.18½
Do	Detroit, Mich.	.08	.27½
Do	Cleveland, Ohio	.15	.30
Do	Indianapolis, Ind.	.08	.25
Plate and sheet iron, etc.	Cincinnati, Ohio	.08	.28
Do	Indianapolis, Ind.	.08	.25
Pipe, wrought iron or steel (40,000 pounds)	Lorain, Ohio	.15	.20
Structural iron (40,000 pounds)	Columbus, Ohio	.15	.20
Pressed steel car sides, etc.	Mansfield, Ohio	.15	.28½
Nails, spikes, fencing, etc.	Muncie, Ind.	.08	.25
Do	Indianapolis, Ind.	.08	.25
Do	Mansfield, Ohio	.15	.28½
Do	Elkhart, Ind.	.08	.20
Lard and lard substitutes	Ivorydale, Ohio	.08	.28
Do	Indianapolis, Ind.	.08	.25
Do	Cleveland, Ohio	.10	.30
Do	Columbus, Ohio	.10	.29
Paper and paper articles, bags, etc.	Kalamazoo, Mich.	.08	.32
Do	Benton Harbor, Mich.	.08	.29½
Do	Elkhart, Ind.	.08	.28½
Do	Goshert, Ind.	.08	.29½
Do	La Porte, Ind.	.08	.24½
Books, blanks, writing paper	Michigan City, Ind.	.08	.24½
Do	Niles, Mich.	.08	.27
Do	Mishawaka, Ind.	.08	.26½
Do	Valparaiso, Ind.	.08	.24½
Labels, etc.	Middletown, Ohio	.08	.27½
Do	Hamilton, Ohio	.08	.27½
Do	Grand Haven, Mich.	.08	.25½
Do	Cleveland, Ohio	.15	.42½
Wall paper, etc.	Grand Rapids, Mich.	.08	.35½
Do	South Bend, Ind.	.08	.26½
Lining carpet, etc.	Three Rivers, Mich.	.18	.21
Do	Grand Rapids, Mich.	.18	.25
Do	Adrian, Mich.	.18	.26
Books, etc.	Niles, Mich.	.08	.27
Do	Valparaiso, Ind.	.08	.24½
Do	Mishawaka, Ind.	.08	.26½
Writing, etc.	Erie, Pa.	.25	.34
Do	Middletown, Ohio	.18	.27½
Do	Elwood, Ind.	.18	.23½
Printing, other than newspapers	Michigan City, Ind.	.08	.24½
Do	Benton Harbor, Mich.	.08	.29½
Do	Elkhart, Ind.	.08	.28½
Do	Cleveland, Ohio	.08	.23
Wrapping, etc.	Anderson, Ind.	.08	.24
Do	Marion, Ind.	.08	.23
Do	Grand Rapids, Mich.	.08	.25
Roofing, etc.	Millers, Ind.	.08	.14
Do	Michigan City, Ind.	.08	.17
Do	Valparaiso, Ind.	.08	.17
Soap	Indianapolis, Ind.	.08	.33
Rosin, in barrels	Woodland, Ga.	.15	.33
Do	La Grange, Ga.	.30	.33
Do	Chatterton, Ga.	.30	.33
Sodium, etc.	Wyandotte, Mich.	.08	.27½
Do	Niagara Falls, N. Y.	.15	.34
Do	Barberton, Ohio	.15	.30
Wire and wire goods, cable, rope, etc.	Columbus, Ohio	.15	.29
Do	Lorain, Ohio	.15	.29
Do	Cleveland, Ohio	.15	.30
Paints	do	.15	.30
Do	Dayton, Ohio	.08	.27½
Do	Grand Rapids, Mich.	.08	.25

Mr. GOODING. If these violations had been granted it would have destroyed all of the rate structure east of Chicago and south of Chicago. Why the great industries east of Chicago and south of Chicago should petition their Senators to vote against Senate bill 575 is one of the greatest mysteries of the age. It is entirely beyond my comprehension, and I can not account for it unless the great railroad lobby that has swarmed Congress persuaded these great industrial cities to help them in their fight against Senate bill 575. How Senators east of Chicago and south of Chicago can champion these violations, as some of them have, is hard for me to understand, for I am sure, Mr. President, if these violations had been granted instead of denied there would have been a storm of protest in the States east and south of Chicago such as has never been known in the history of this country. Senators should take time to study the advantage these discriminations would have given Chicago. Chicago seems to think they are the hub around

which the universe must travel. Not only the States east and south of Chicago have been sleeping on a volcano, but that would have been true of some of the States west of Chicago, which I will show shortly in my remarks.

Mr. SHIPSTEAD. Mr. President, may I ask the Senator a question?

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Minnesota?

Mr. GOODING. I am glad to yield to the Senator.

Mr. SHIPSTEAD. I am asking the question to clear up a matter that came up in the discussion this morning when the Senator from Illinois [Mr. DENEEN] was speaking. Is it the contention of the Senator from Idaho that the railroads are hauling freight on the long hauls for less than the cost of hauling?

Mr. GOODING. If the violations had been granted they would have hauled freight through the Senator's State of Minnesota to the Pacific coast for 19 cents a car-mile. That would be what is called an out-of-pocket rate. It would not be a fully compensatory rate at all. I do not think they are hauling any freight at the present time at what is called an out-of-pocket rate on the long haul westbound.

Mr. SHIPSTEAD. They are not hauling for less money than it costs to haul the freight?

Mr. GOODING. I do not know. I am not a rate expert. What I am fighting for is to give the Senator's State, as well as all other Western States which suffer from these discriminations, a chance to develop their resources. What I am fighting for is a chance to have industries out in the great agricultural districts of America, so they may break up the great wheat fields of America and not force all the people into a few of the great cities, as we are doing now under our present system of freight rates.

Mr. SHIPSTEAD. Under the fourth section of the transportation act are the railroads prohibited from hauling freight for less than a fairly compensatory rate?

Mr. GOODING. It is my understanding the commission differ among themselves as to what an out-of-pocket rate is, and the railroads also differ; an out-of-pocket rate has never been clearly defined. The railroads have always been willing to haul freight for any price that would destroy water transportation, and for that reason the freight rate in the interior has always been higher. The farmers of the country have paid for the destruction of water transportation, and there is no question of doubt about it in my mind or in the mind of any man who has studied the transportation problem.

Mr. SHIPSTEAD. If it is true that they are hauling freight at an out-of-pocket rate, then is it the Senator's opinion that they are violating the law?

Mr. GOODING. That depends on the definition you place on a reasonably compensatory rate.

Again let me say to the Senator that an out-of-pocket rate and a reasonably compensatory rate, as the law now provides, have never been clearly defined by the Interstate Commerce Commission. When the amendment to the fourth section of the interstate commerce act was before Congress and passed in 1920 the debate here in the Senate showed very clearly that those who championed that measure believed that a reasonably compensatory rate meant a fully compensatory rate, one that would earn all fixed charges of transportation, including interest on the investment, as well as dividends for the railroads, but the commission has not accepted the views of those who championed the amendment to the fourth section that was passed in 1920. As I have said before, an out-of-pocket rate may mean almost anything.

Mr. SHIPSTEAD. That is, an out-of-pocket rate?

Mr. GOODING. If it earns anything just above the out-of-pocket cost.

Mr. SHIPSTEAD. I am asking these questions for my own information.

Mr. GOODING. I am glad to answer as far as I can.

Mr. SHIPSTEAD. I have not determined for myself where the remedy lies. If it is true that the railroads are not allowed to haul freight at a rate that does not provide for adequate compensation, then they are violating the law. If they are not hauling freight long distances for less than the cost of hauling and if the interior rates are too high, it seems to me that the way to remedy the situation would be to see to it that the interior rates are lowered.

Mr. GOODING. I will say to the Senator that we made a fight for reduced rates when the great crisis swept over agriculture in 1920. When the deflation was forced on the country by the Federal Reserve Board witnesses appeared before the Interstate Commerce Commission and plead for a reduction in freight rates for agriculture. Does the Senator know what happened? We did not get any reduction at that time. When

one of the witnesses was pleading for a reduction in freight rates for the farmers, trying to tell the commission that the increase in freight rates had worked a great hardship on agriculture, I am told that one of the commissioners said, "If the farmers can not make a living, why do they not move off the farm?" On another occasion it was said by a member of the commission, "If they can not grow wheat and make a living, why do they not grow something else?"

The Senator from Minnesota knows that the railroad organization in America is all powerful. And to a large extent they are responsible for some of the members on the Interstate Commerce Commission. Surely the Senator knows the railroads dominate this Government of ours as far as transportation is concerned, at least to a very large extent.

Mr. SHIPSTEAD. I am inclined to think that the railroads have dominated the Interstate Commerce Commission a great deal more than Congress has. I think that is a fair assumption to make in view of the history of the last 25 years. I think railroad regulation by the Government has failed. I think the theory has been entirely exploded. I think history shows that instead of the Government having been able to regulate the railroads, the railroads have regulated the Government. I do not care to take the Senator's time, but I wanted the point cleared up for myself as a matter of information. I wanted to know if the bill would produce a remedy by giving lower freight rates to the interior and if it is true that the railroads are hauling freight on the long hauls for less than the cost of hauling.

Mr. GOODING. Whenever they are permitted a violation of the fourth-section clause they do so, and the interior pays for it. The pending bill can do only one thing. The bill only settles one question, and that is that the railroads shall not be permitted to charge more for the shorter haul than for the longer haul. It does not go any further than that. If the Senator knows anything about the situation, he knows there has been a great lobby of railroad presidents and vice presidents stalking the Halls of Congress ever since the bill has been before the Senate and for a long time prior to that.

Mr. FESS. Mr. President, will the Senator from Idaho permit me to read to the Senator from Minnesota the ruling of the Interstate Commerce Commission on this matter?

Mr. GOODING. I think I have stated it very clearly.

Mr. FESS. No; I do not think so.

Mr. GOODING. I can not yield any further. It is going to be hard for me to get through even now, and I want to yield the floor to other Senators who want to speak to-day. The Senator from Ohio, in his remarks on last Saturday, said very positively that Senate bill 575 could not pass the Senate this year. At the same time he spoke about my genial disposition and how I had sat around the table and talked to Senators, and that it was for that reason that Senate bill 2327 had passed the Senate by such an overwhelming majority of 54 to 23.

Mr. FESS. I meant that as a compliment.

Mr. GOODING. It was a left-handed compliment. The Senator might have meant it, but I have never been known to have a genial disposition. I was not favored with a genial disposition, I am sorry to say. The Senator meant possibly to add a little sarcasm; my friends will have a good laugh when they read about my genial disposition. They will say, "If he has one, he has found it since he went to Washington. He did not have one when he left Idaho."

Mr. FESS. Oh, the Senator has a genial disposition.

Mr. GOODING. No; I have not. I am sorry to say the Senator is entirely mistaken.

Mr. FESS. I am reasoning from my own personal experience. The Senator almost persuaded me.

Mr. GOODING. If the Senator had given me a fair chance at him before he gave it to somebody else, I might have persuaded him. I am glad to have him insist, however, that it was not a left-handed compliment with a little sarcasm mixed in, but it was rather a reflection on the Senators who voted for my bill in the last session, which was a much more drastic measure than the pending bill, to say that any Senator can be controlled on a great public question by the influence of some genial Senator. God pity the American people if we are going to settle great public questions such as this by some one having a genial disposition in the Senate. I hope the time will never come when personal influence will direct anybody in the Senate to cast his vote a certain way, and I do not think it happened at the time the previous long-and-short-haul measure was passed.

When Senators were left to cast their own votes unhampered and without a great railroad organization to influence them, such as we have had here lately, they voted overwhelmingly

for Senate bill 2327, more than 2 to 1. Now the Senator says that the pending bill can not pass. If it can not pass, it is not because of what the Senator has said. The Senator should not take any credit if the bill is defeated. The country knows where the credit belongs. It belongs to the great railroad lobby that has been here in Washington. I have known them to take Senators to lunch who voted for Senate bill 2327, the long and short haul bill, in the last session, and I suppose they have that right. I have seen them stop Senators out here in the corridors. I have seen them sitting in the Senate galleries looking down upon the Senate, hovering over it like buzzards. I have seen in the West hovering over some animal whose life is fast flickering away, with the expectation of finally swooping down upon his dead body and picking his bones.

Those are the men who will be given credit for defeating the bill; not that they have had any influence upon Senators, but they have aroused a lot of commercial clubs, although I do not know how they have been able to do it. How they can go into any city east of the west line of Indiana whose industries would have been paralyzed if these violations had been granted and influence that commercial club against this bill is hard for me to understand. That is a mystery to me, and yet they have been able to do it. They went out into North Dakota, as was shown here yesterday, after resolutions had been passed indorsing the Gooding bill, and persuaded that commercial club to change its opinion and have it send letters here stating that it did not mean what had been said when it passed the resolution indorsing the Gooding bill. When the only hope of breaking up the wheat fields is to bring industries up there, and when we can not have industries as long as we have discrimination in freight rates, I can not understand that attitude on the part of any commercial club.

I want to correct the Senator from Ohio again. He said that only 10 per cent of the goods shipped to the Pacific coast go over the railroads. The actual table furnished by the Interstate Commerce Commission shows that 22.6 per cent of all of the goods from the eastern ports go over the railroads to the Pacific coast.

Mr. FESS. Mr. President, will the Senator yield?

Mr. GOODING. Yes; I yield.

Mr. FESS. Reference was made to the 47 articles that were covered in the application. The figures given in the report as to iron and steel articles moving from all the groups, A to J, inclusive, to the Pacific Coast States, show that the rail tonnage was nearly equal to the water tonnage in 1921, while in 1922 the water tonnage was more than four times that by rail, and in 1923 was five and one-half times. As to all of the commodities covered by the application, 47 in number, it is shown that the railroad tonnage from all points to the terminals and the so-called back-haul territory in 1923 was 18 per cent and the water tonnage 82 per cent. My point was that if in 1923 it was only 18 per cent by rail and 82 per cent by water, then the statement that has been made that now 10 per cent only of the items under the application would be carried by rail is undoubtedly in error.

Mr. GOODING. I will give the Senator the figures as given by the Interstate Commerce Commission in the decision denying the fourth-section application to the transcontinental railroads on 11 items. It is found on page 229. I will not take the time to read it all, because I have to hurry along.

Mr. FESS. Take the 47 items. I was talking about the 47 items.

Mr. GOODING. These are selected items such as ammunition and steel.

Mr. FESS. I can give items of which 100 per cent is carried by water.

Mr. GOODING. I am referring only to 11 items.

Mr. FESS. I suggest that the Senator give the figures as to the 47 items covered by my statement.

Mr. GOODING. The records do not give them. The statement shows that 195,471 tons were carried by rail and 861,971 tons were carried by water, so that 22.6 per cent were carried by rail.

Mr. FESS. Those are the figures for 11 items. I have been talking about 47 items. I have a list of items here of which 100 per cent go by water.

Mr. GOODING. Here is what the majority of the commission has to say in their decision denying the application to the transcontinental railroads on 47 different commodities, on page 429:

Eastern manufacturers and shippers also generally oppose the application. They contend that the relief sought is based on market competition rather than water competition, and that such competition is not sufficient ground for fourth-section relief. They can see no justification for a basis of rates which will extend their natural advantage of prox-

imity to economical water transportation to territory far inland, and which will perhaps so seriously impair the earnings of the water lines as to result in the curtailment of service. Other eastern manufacturers are more particularly concerned with the disruption of the existing rate relationships which would be caused by the establishment of the proposed rates. It goes without saying that the water lines oppose the application. To the extent that the rail carriers would gain traffic, they would lose it. If, rather than see their business taken from them, they should reduce their port-to-port rates, the result would be a loss of revenue both to the water and to the all-rail lines. Neither would gain, but both would lose. As above stated, carriers operating east of Chicago have not joined in the application, although urged to do so by the western lines. The Boston & Maine and New York, New Haven & Hartford Railroads, New England carriers, actively oppose it.

That many of the commodities embraced in the application move in considerable volume through the canal is evident from the record. This is particularly true as to iron and steel. The efforts of the rail carriers to ascertain the exact tonnages of the different commodities have not been entirely successful because of the differences between the water and rail classifications, but from examination of the records of the port authorities of the various ports they estimate that the movement by water of the particular items enumerated in their application during the six months from June to November, inclusive, 1923, aggregated 861,907 tons as compared with 195,471 tons all rail from all eastern defined districts to the ports, Los Angeles, and so-called back-haul territory in interior California, Oregon, and Washington. Their estimate of the tonnage of each commodity is shown below:

Commodity	By rail		Through canal
	Tons	Tons	
Ammunition.....	245	367	
Cotton piece goods.....	3,271	10,925	
Soda alumina sulphate.....	25	-----	
Lard and lard substitutes.....	4,003	4,118	
Paint.....	6,597	8,104	
Roofing material.....	5,845	4,541	
Rosin.....	-----	6,311	
Soap.....	3,227	13,154	
Soda.....	1,255	9,824	
Iron and steel.....	156,085	779,369	
Paper.....	14,918	25,194	
Total.....	195,471	861,907	

I should like to have some one tell me why great commercial clubs and organizations should be in favor of these violations and against the Gooding bill, when they know that if those violations had been permitted it would have injured their own industries and their own cities.

Mr. FESS. They do not know it.

Mr. GOODING. Quite evidently they do not, but it must be true; it is true; it can not be otherwise. When the differential is increased only a few cents, 5 or 10 cents, material injury may be wrought, but when it is increased as it is here, as much as 70 cents, paralysis is caused and there is nothing that can save the industries of the points discriminated against, as far as that particular trade is concerned, on the Pacific coast.

In one of the hearings before the examiner of the Interstate Commerce Commission on the application of the transcontinental railroads for the violation of the fourth section from Chicago to Pacific coast points a gentleman from Bridgeport, Conn., who had an ammunition factory at Bridgeport and one in Chicago, stated that unless these violations for which he was pleading were permitted it would mean that he would have to spend a million dollars in Bridgeport to enlarge his ammunition factory there to take care of the Pacific coast trade. Why should all of the country yield to Chicago on these violations and pay tribute to it? It is a good deal as the Senator from Illinois stated. Chicago is the hub, and around it the rest of the country must revolve.

What I am fighting for and pleading for is that we shall not continue a policy that drives the people all into the great cities at the expense of the interior. That is what violations of the fourth section and discrimination toward the interior mean. They can mean nothing else. If we continue the practice, the time is coming when the institutions of this country will be fairly brought to a test.

Here is Chicago appealing to the Government for protection against her own police force. A murder every day in the year is committed in that city, and crime is increasing at an alarming rate, yet they are asking for violations which, if permitted, would destroy the West, so far as the jobbing houses are concerned and the development of her industries.

I sometimes wonder what is going to happen in the great centers of population in America when the time comes, as it will come, when millions are out of work, and the laboring

man hears his children crying for bread. I sometimes wonder what will happen in great cities like Chicago where organized criminals are running in droves like packs of wolves, where many have no respect for our institutions or for our laws; I wonder what is going to happen when the pinch of hunger comes. When men who have so little respect for our laws and our institutions become the leaders of mobs, what will be the result if we pursue this selfish policy and drive the people of the interior into the cities? It is estimated now that from three hundred to four hundred thousand men, women, and children are leaving the farm every year to go into the great cities. The urban population of America is increasing at an alarming rate. What are we going to do with them? Do Senators not wish to give the people of the West a chance to have industries established there and to make this a bigger and better country?

That is all we are fighting for, just what the people of the East have had for many years—freight rates without discrimination. Ever since we have had railroads the East has been so strong politically that the Interstate Commerce Commission did not dare to permit violations east of Chicago, outside of a few coal rates which were recently put in operation. I do not know how anyone can justify the action of the commission in allowing that. Why should one man pay more for the freight on his coal to keep him warm than someone else who has the privilege of living in a great city, and who has everything that is convenient and everything that is worth living for as compared to those dwelling in the country?

Mr. FESS. Mr. President, will the Senator from Idaho yield at that point?

Mr. GOODING. I do not think I can yield any further, because I have got to yield the floor very soon.

Mr. President, if I may have the attention of the western Senators, I want to call their attention to what I call a most remarkable situation. Here is Omaha, Kansas City, and other Missouri River points fighting against Senate bill 575, and at the same time pleading that Chicago be granted the violations on the 47 different commodities to Pacific coast points that have been discussed so much while this bill has been under consideration, and justified, especially by the Senator from Ohio as well as other Senators. Here is one of the most remarkable demonstrations, in my judgment, of the power the railroad organization has over our commercial bodies that the country has ever witnessed. It has always been my understanding that any city or any industry that had the lowest freight rate to any market had the best chance of selling in that market, but here is Omaha, as well as other Missouri River points, willing to set aside the advantage of a shorter haul of from 500 to 1,000 miles to the Pacific coast points than Chicago and to wipe out their differential and give Chicago the same freight rate to Pacific coast points if these violations on the 47 different commodities had been granted instead of denied.

With Chicago's well-organized industries and with plenty of capital to buy raw materials in great quantities, I ask what chance Omaha or any other Missouri River point would have in the markets of the Pacific coast with Chicago enjoying the same freight rate? I want to call the attention of the Senators of Nebraska to the advantage that Omaha now has in freight rates over Chicago, which they seem to be quite willing for some reason or other to surrender, but for what reason I am at a loss to understand. The Senators from Nebraska, I understand, have been flooded with telegrams asking them to vote against the Gooding bill. Let me show the Senators from Nebraska what would have happened to Omaha if these applications of the transcontinental railroads for violations of the fourth section of the interstate commerce act had been granted.

The freight rate on ammunition from Chicago is \$1.40 per hundred.

Mr. NORRIS. To what point?

Mr. GOODING. From Chicago to San Francisco and all Pacific coast points. The present rate on ammunition from Omaha to Pacific coast points is \$1.26 per hundred. There is a differential in favor of Omaha of from 8 cents to 16 cents per hundred on all of the 47 different commodities upon which the transcontinental railroads were asking for violations. If this application had been granted, all of these differentials would have been wiped out and freight would have passed through Omaha from Chicago carried on to Pacific coast points for the same rate Omaha would have to pay. Omaha, Kansas City, and St. Joseph were all willing to give Chicago the same freight rate to the Pacific coast points on packing-house products—that is, lard and lard substitutes, surrendering their present differential of 16 cents per hundred.

Mr. President, I offer for the Record another table showing the present and proposed rate on a number of commodities from Chicago, Omaha, and Denver to Pacific coast points; also the difference that exists at the present time, as well as the

difference that would exist if the application of the transcontinental railroads had been granted.

The PRESIDING OFFICER. Is there objection?

There being no objection, the table is ordered printed.

Present rate and differences in rates from Chicago, Omaha, and Denver, to Pacific coast points on various commodities; also rates proposed by western transcontinental carriers and resulting differences

Commodity	Points of origin	Present rate	Present difference under Chicago	Proposed rate	Reduction
Ammunition.....	Chicago.....	\$1.40		\$1.10	\$.30
	Omaha.....	1.26	\$.14	1.10	.16
	Denver.....	1.26	.14	1.10	.16
Dry goods: Cotton piece goods, etc.	Chicago.....	1.58		1.10	.48
	Omaha.....	1.50	.08	1.10	.40
	Denver.....	1.41	.17	1.10	.31
Rosin.....	Chicago.....	1.20		.75	.45
	Omaha.....	1.05	.15	.75	.30
	Denver.....	.98½	.21½	.75	.23½
Soda: Alumina sulphate.....	Chicago.....	1.20		1.00	.20
	Omaha.....	1.08	.12	1.00	.08
Sodium, etc.....	Chicago.....	1.00		.75	.25
	Omaha.....	.90	.10	.75	.15
	Denver.....	.90	.10	.75	.15
Lard and lard substitutes, etc.	Chicago.....	1.60		1.20	.40
	Omaha.....	1.44	.16	1.20	.24
	Denver.....	1.44	.16	1.20	.24
Soap.....	Chicago.....	1.25		1.00	.25
	Omaha.....	1.13	.12	1.00	.13
	Denver.....	1.13	.12	1.00	.13
Paint, etc.....	Chicago.....	1.25		1.00	.25
	Omaha.....	1.13	.12	1.00	.13
	Denver.....	1.13	.12	1.00	.13
Paper and paper articles: Bags, wrapping, etc.	Chicago.....	1.25		1.00	.25
	Omaha.....	1.13	.12	1.00	.13
	Denver.....	1.13	.12	1.00	.13
Wall paper.....	Chicago.....	1.35		1.00	.35
	Omaha.....	1.22	.13	1.00	.22
	Denver.....	1.22	.13	1.00	.22
Lining, carpet.....	Chicago.....	1.25		1.00	.25
	Omaha.....	1.13	.12	1.00	.13
	Denver.....	1.13	.12	1.00	.13
Books, etc.....	Chicago.....	1.25		1.00	.25
	Omaha.....	1.13	.12	1.00	.13
	Denver.....	1.13	.12	1.00	.13
Writing, etc.....	Chicago.....	1.25		1.00	.25
	Omaha.....	1.13	.12	1.00	.13
	Denver.....	1.13	.12	1.00	.13
Printing, other than news-print, posters, etc.	Chicago.....	1.25		1.00	.25
	Omaha.....	1.13	.12	1.00	.13
	Denver.....	1.13	.12	1.00	.13
Wrapping, etc.....	Chicago.....	1.25		1.00	.25
	Omaha.....	1.13	.12	1.00	.13
	Denver.....	1.13	.12	1.00	.13
Books, blank, writing paper, etc.	Chicago.....	1.25		1.00	.25
	Omaha.....	1.13	.12	1.00	.13
	Denver.....	1.13	.12	1.00	.13
Boxes, not corrugated, etc.	Chicago.....	1.25		1.00	.25
	Omaha.....	1.13	.12	1.00	.13
	Denver.....	1.13	.12	1.00	.13
Boxes, corrugated, etc.	Chicago.....	1.35		1.00	.35
	Omaha.....	1.22	.13	1.00	.22
	Denver.....	1.22	.13	1.00	.22
Labels, etc.....	Chicago.....	1.35		1.00	.35
	Omaha.....	1.22	.13	1.00	.22
	Denver.....	1.22	.13	1.00	.22
Roofing, etc.....	Chicago.....	1.10		.90	.20
	Omaha.....	.99	.11	.90	.09
Cable, rope, strands, etc.	Chicago.....	1.20		.90	.30
	Omaha.....	1.08	.12	.90	.18
	Denver.....	1.08	.12	.90	.18
Rods, wire.....	Chicago.....	1.00		.80	.20
	Omaha.....	.90	.10	.80	.10
Iron and steel:					
Bands (pipe), rods (pipe), etc.	Chicago.....	1.20		.85	.35
	Omaha.....	1.08	.12	.85	.23
Bands, shingles, ties, etc.	Chicago.....	1.00		.85	.15
	Omaha.....	.90	.10	.85	.05
Billets, blooms, etc.	Chicago.....	1.00		.80	.20
	Omaha.....	.90	.10	.80	.10
Bolts, nuts, etc.	Chicago.....	1.00		.80	.20
	Omaha.....	.90	.10	.80	.10
Horseshoes, etc.	Chicago.....	1.00		.80	.20
	Omaha.....	.90	.10	.80	.10
	Denver.....	.77	.23	.80	.03
Castings and forgings, etc.	Chicago.....	1.20		.90	.30
	Omaha.....	1.08	.12	.90	.18
Rail fastenings.....	Chicago.....	1.00		.80	.20
	Omaha.....	.90	.10	.80	.10
Axle wheels and forgings.....	Chicago.....	1.00		.85	.15
	Omaha.....	.90	.10	.85	.05
	Denver.....	.90	.10	.85	.05
Structural iron (minimum weight 80,000 pounds).	Chicago.....	1.00		.80	.20
	Omaha.....	.90	.10	.80	.10
Structural iron (minimum weight 40,000 pounds).	Chicago.....	1.25		1.00	.25
	Omaha.....	1.13	.12	1.00	.13
Plate and sheet iron, etc.	Chicago.....	1.00		.80	.20
	Omaha.....	.90	.10	.80	.10
	Denver.....	.77	.23	.80	.03
Do.....	Chicago.....	1.15		.90	.25
	Omaha.....	1.04	.11	.90	.14
	Denver.....	.89	.26		

¹Increase.

Present rate and differences in rates from Chicago, Omaha, and Denver, to Pacific coast points on various commodities; also rates proposed by western transcontinental carriers and resulting differences—Continued

Commodity	Points of origin	Present rate	Present difference under Chicago	Proposed rate	Reduction
Iron and steel—Continued.					
Pipe, wrought iron or steel, etc. (minimum weight 40,000 pounds).	Chicago.....	\$1.25		\$1.00	\$.25
	Omaha.....	1.13	\$.12	1.00	.13
	Denver.....	.96	.29		
Pipe, wrought iron or steel, etc. (minimum weight 60,000 pounds).	Chicago.....	1.00		.85	.15
	Omaha.....	.90	.10	.85	.05
Nails, spikes, etc. (minimum weight 80,000 pounds).	Chicago.....	1.00		.80	.20
	Omaha.....	.90	.10	.80	.10
Nails, spikes, etc. (minimum weight 50,000 pounds).	Chicago.....	1.30		1.05	.25
	Omaha.....	1.17	.13	1.05	.12
Pipe, cast iron, and connections for same.	Chicago.....	1.00		.85	.15
	Omaha.....	.90	.10	.85	.05
Pipe fittings and connections.	Chicago.....	1.00		.85	.15
	Omaha.....	.90	.10	.85	.05
Bar, band, hoop, etc. (on a number of steel articles there is a reduction of 15½ cents per 100 pounds, but Chicago has a reduction on the same articles of from 20 cents to 35 cents per 100 pounds).	Chicago.....	1.00		.80	.20
	Omaha.....	.90	.10	.80	.10
	Denver.....	.77	.23	.61½	.15½

Mr. NORRIS. Mr. President, can the Senator give the rate to some of the interior points in Nebraska?

Mr. GOODING. I am going to give them on steel and iron in a moment. I can give them on dry goods now. The rate on dry goods to Ogallala, Nebr., is \$1.48. I am talking now about freight to the Pacific coast points, but all interior points would have paid a higher freight rate than the through rate if the application for fourth-section violations had been granted west of Ogallala.

Not only will Omaha yield all of the advantages that she now enjoys by being nearer the coast than Chicago, but the same is true of all river points. Even Denver, a thousand miles nearer Pacific coast points than Chicago, will surrender every advantage that she has. In other words, with exceptions of some steel products, the transcontinental railroads propose to haul freight from Chicago to San Francisco for the same rate that they will haul it from Denver.

The rate on ammunition from Denver is the same as it is from Omaha. The differential at the present time as between Chicago and Denver to Pacific coast points is 14 cents a hundred. On cotton goods, however, the differential is 17 cents a hundred in favor of Denver. That is all to be waived. The only advantage that Denver would be given if the violations were permitted would be on some steel articles, on which the rate would be reduced 15 cents a hundred. That rate would apply, however, not so much to Denver, but to Pueblo, from which point to San Francisco and coast points the rate on steel would be 61½ cents a hundred. The differential at the present time between Chicago and Denver, or Pueblo, is 23 cents a hundred. If the violations had been allowed the differential would have been only 18 cents a hundred. On horseshoes the present rate from Denver or Pueblo is 77 cents a hundred, and the differential on horseshoes between Chicago and Denver, or Pueblo, to Pacific coast points is 23 cents a hundred; but the rate is going to be increased on horseshoes from Denver. Denver is going to be given the Chicago rate; the rate is to be increased to 80 cents; so that they will have an increase of 3 cents on horseshoes. On iron pipe they have a differential at the present time of 29 cents over Chicago to Pacific coast points, but if these violations should be permitted they will only have a differential of 4 cents.

On lard and lard substitutes they have a differential at the present time of 16 cents. All that, however, is to be waived. Yet there is a packing house at Denver, which is a thousand miles nearer the Pacific coast points than is Chicago. Denver is surrendering every advantage it now enjoys in the interest of Chicago.

I have here, Mr. President, a most interesting table, to which I want to call the attention of Senators. At Pueblo there is located the Colorado Fuel & Iron Co., an industry that has been struggling for existence. The rate on steel products from Pueblo to Denver, a distance of 122 miles, is 18½ cents a hundred. The rate from Chicago to Omaha, a distance of 488 miles—and it should read from Gary, Ind., because Gary, Ind., is in the Chicago district—is 35 cents a hundred. The rate from Pueblo to Sterling, Colo., a distance of 263 miles, is 63

cents a hundred, while the rate from Chicago or from Gary, Ind., to Fremont, 530 miles from Chicago, is 40½ cents a hundred.

The rate from Pueblo to North Platte, a distance of 400 miles, is 67 cents a hundred. The rate from Chicago to Columbus, 575 miles, is 52½ cents a hundred.

The rate from Pueblo to Kearney, Nebr., 495 miles, is 69 cents a hundred. The rate from Chicago to Grand Island, 637 miles, is 62 cents a hundred.

Mr. NORRIS. Mr. President, may I interrupt the Senator there?

Mr. GOODING. Yes.

Mr. NORRIS. Of course I am familiar with the geography of those towns and know their proximity, comparatively speaking, and know the distance between them; but the ordinary person, who is not familiar with Grand Island or Kearney or North Platte, will not understand the importance of the figures that the Senator is giving. He gives the rate from Pueblo, for instance, to North Platte; then he gives the rate from Chicago to Columbus or Grand Island. Why does he not give it to the same town? The rate would be the same I think.

Mr. GOODING. One is going east and the other is going west.

Mr. NORRIS. Yes; but, for instance, take Grand Island, Nebr. Suppose you want to buy some steel. The question is whether you will buy it at Pueblo or at Chicago. If you buy it at Chicago, it is shipped west. If you buy it at Pueblo, it is shipped east. It does not give very much information now unless you give the rate from Chicago and the rate from Pueblo to Grand Island, where you want to use the steel. You do not give it that way. You give it to another town which I happen to know is close at hand; but the ordinary person, hearing the Senator or reading his remarks in the Record, not understanding how these towns are located, would not understand the force of his argument.

I am mentioning that only to do what I thought might be of assistance to the Senator.

Mr. GOODING. What I am trying to show is that the rate westbound from Chicago on a mileage basis is very much less than it is eastbound. I am trying to show the discrimination on a mileage basis.

Mr. NORRIS. The Senator shows that.

Mr. GOODING. Of course, in showing the towns, the Senator will understand that the mileage is not the same westbound as it is eastbound to any two towns.

Mr. NORRIS. No.

Mr. GOODING. So I can not show the towns, as the Senator would ask me to do, for that reason.

Mr. NORRIS. I take it that the rate, for instance, on steel from Chicago to Grand Island would be just the same as though it were shipped to Kearney.

Mr. GOODING. Westbound?

Mr. NORRIS. Yes.

Mr. GOODING. I am placing a table in the Record that I am sure will give the Senator all the information he asks for.

Mr. NORRIS. They would be, I presume, in that instance exactly the same.

Mr. GOODING. The point I am trying to make is that, as far as the steel industry in Pueblo is concerned, they are denied the right to do business through discrimination in freight rates almost at their very doors.

Mr. NORRIS. I think the Senator is showing that very forcefully.

Mr. GOODING. That is the point I wanted to make clear.

Mr. NORRIS. I thought it might be advantageous to show that not only is Pueblo discriminated against, and we ought to consider that, but Pueblo is only one place; that the other towns that could buy the product in the vicinity, and that would buy it if the freight rate permitted them, are also discriminated against.

Mr. GOODING. That is very true, because if they had a freight rate eastbound on a mileage basis the same as is given to the great steel plant at Gary, Ind., westbound, Pueblo would be able to give Nebraska a very much cheaper freight rate, which would mean cheaper steel for the people of Nebraska and a greater market for the steel plant at Pueblo. The distance from Pueblo to Omaha is 683 miles; the rate on steel is 71½ cents per hundred. If Pueblo was given the same freight rate on a mileage basis to Omaha that is given to the steel plant at Gary, Ind., Pueblo would have a freight rate of 45 cents per hundred instead of 71½ cents per hundred. If Pueblo was given the same freight rate on a mileage basis westbound to Pacific coast points that is given to the great steel plant at Gary, Ind., to Pacific coast points, Pueblo, instead of paying 77 cents per hundred on steel, which it is at the present time, would only pay 62 cents per hundred, and they would have a

differential over Gary, Ind., of 38 cents per hundred. This would give the steel plant at Pueblo a chance to live and compete with the great steel plant at Gary, Ind., for the Pacific coast markets.

Mr. President, I ask unanimous consent to insert in the Record at this point the tables to which I have just referred.

There being no objection, the tables were ordered to be printed in the Record, as follows:

Wrought iron and steel
[80,000-pound car]

	Distance	Rate per 100	Rate per car-mile
From Gary, Ind., to—	Miles		
Omaha, Nebr.	516	\$0.35	\$0.55
Fremont, Nebr.	546	.40½	.59
Columbus, Nebr.	591	.52½	.72
Grand Island, Nebr.	653	.62	.76
Kearney, Nebr.	695	.68	.76
North Platte, Nebr.	790	.79	.77
Sterling, Colo.	927	.87½	.75
Denver, Colo.	1,042	.82	.63
From Pueblo, N. Mex., to—			
Denver, Colo.	122	.18½	1.21
Sterling, Colo.	263	.63	1.91
North Platte, Nebr.	400	.67	1.34
Kearney, Nebr.	495	.69	1.12
Grand Island, Nebr.	538	.69	1.02
Columbus, Nebr.	600	.69	.92
Fremont, Nebr.	645	.69	.85
Omaha, Nebr.	683	.71½	.83

Mr. NORRIS. Mr. President, is not the argument often made that coming from the west east they have so many empty cars?

Mr. GOODING. The records of the Interstate Commerce Commission show that the empty-car movement on the transcontinental railroads is lighter both eastbound and westbound than on any other railroads in the United States.

Mr. FESS. Mr. President, will the Senator yield there?

Mr. GOODING. I yield.

Mr. FESS. Would it be of advantage to the West to pay a less rate upon the less amount that is going west than is paid going east? You are paying a less freight, according to the Senator, it is true, going east per car-mile than going west.

Mr. GOODING. What my people are arguing for is a freight rate on a mileage basis somewhere near what the rest of the country has. We do not care whether it is eastbound or westbound; we are willing to pay just as high a freight rate as the people of any other State pay. We are not willing to pay any more.

Mr. FESS. Then the Senator does not agree with the Senator from Nebraska.

Mr. GOODING. Oh, yes; I do. I do not think you understood the Senator at all.

Mr. NORRIS. Mr. President, I think my friend from Ohio has not understood the figures that the Senator from Idaho is giving. I based by question and my suggestion entirely on the figures he has given.

Mr. FESS. I put those figures in the Record last Saturday.

Mr. GOODING. It is not strange that the Senator can not understand discrimination in freight rates. I think he stated here on the floor of the Senate that in his early life he taught political economy. I never saw a political economist who did not get away from the touch of the common people. The Senator is something of an exception, I think, in that respect. He is not a free trader, as most of them are. I do not believe that he believes altogether in the doctrine of the survival of the fittest, which most of the political economists do; but he has never had a real touch of the school of experience, as the people in the West have in the case of these discriminations, or he would not discuss the bill as he does. Of course, all of his discussion all the way through shows that he has not come in touch with the real things of life, or he would not sit up here and say he would be willing to take a discrimination against his own State if the Interstate Commerce Commission said it was right. I am not willing to take discrimination in freight rates from any body of men as against any State, more especially when I know that at least some of the members of the Interstate Commerce Commission are dominated by the railroads.

For discrimination in freight rates will destroy any industry, any city, or any State in the Union. I am going to demand for the people of my State the same rights and the same privileges that the Interstate Commerce Commission has given the people east of Chicago where the discrimination in freight rates has never been permitted to destroy industry. I do not propose that the Interstate Commerce Commission, or any body of men, shall have the right to force discrimination in freight rates upon my State.

Mr. FESS. Mr. President, the Senator has a less rate going east because he has a larger cargo going east than going west. Does he not like that discrimination?

Mr. GOODING. That is not violation. I want to say to the Senator that the Interstate Commerce Commission has served some parts of this country most magnificently. I can understand the confidence that you have in them; your industries have never suffered from violations; and if we are going to legislate here on the basis of selfish interest then this bill should not pass; but the situation is different if you are going to permit the development of our water transportation. The great forces of nature have been more kind to America than to any other country in the world, because we have more great rivers in America than there are in any other country on earth, and we have an opportunity to develop more power than any other country with the exception of Africa. While we have only about 6 per cent of the world's population, yet we produce 25 per cent of all the gold, 45 per cent of all the silver, 60 per cent of all the coal, 40 per cent of the lead, 43 per cent of the copper, 28 per cent of all the wheat of the world, and so on down. Ours is a most wonderful country; and yet you go on here driving people out of the interior into your cities, all through a policy that you stand here and defend, and say you would even permit it as against your own industries if the Interstate Commerce Commission said it was right.

Oh, I like your simplicity; I like your confidence and your faith in other men; but you go a long way further than I am willing to go.

I am not going to place the prosperity and happiness of the people of my State in the hands of any body of men, I do not care who they are; and if this Interstate Commerce Commission does not suit the railroads, they will have one that will, and I do not care what party controls this Government. They are the biggest force in all the world to-day, and to a large extent they are dominating the Government.

Go back and look at the wrecks—the wreck of the Alton, the wreck of the Frisco, the wreck of the New York, New Haven & Hartford and other eastern roads, and now look at the wreck of the Milwaukee; and yet you seem to have confidence in the men who, I am sorry to say, have played too big a part in the affairs of this Government; and you yourself would be willing to submit to discriminations in freight-rates against your own industries and your own State if the Interstate Commerce Commission said it was right.

Mr. FESS. Would the Senator vote to abolish the Interstate Commerce Commission?

Mr. GOODING. No; I would not. I have a very high respect for some members of the Interstate Commerce Commission. It has been improved very much of late years. Thank God for that! If it had not been, those violations would have been granted and your industries would have been imperiled.

Mr. FESS. No violations have been granted since 1918 touching the intermountain country.

Mr. GOODING. Oh, there have been violations put in the Record eastbound that have been granted since that time.

Mr. FESS. I refer to the water route.

Mr. GOODING. I refer to the water route—violations that were put in as against the farmers, the bean growers, the fruit growers even in the interior in California, since 1918.

Mr. FESS. Violations going east?

Mr. GOODING. Going east.

Mr. FESS. That is to your advantage.

Mr. GOODING. Oh, yes; I know the Senator thinks so.

Mr. FESS. I thought the Senator said he had the violations, and I was saying he did not have them.

Mr. GOODING. We have the peak of freight rate all the time. Did the Senator hear the statement made the other day as to the dividends that were paid by the Oregon Short Line, which passes through my State?

Mr. FESS. Yes; I heard them.

Mr. GOODING. They paid a stock dividend in one year of \$72,000,000. The capital stock of the railroad was only a little more than \$27,000,000. In the same year they paid a cash dividend of \$68,000,000, all in one year; and not as big dividends as that, but dividends similar to that, have been paid for a number of years.

Mr. FESS. Does the Senator's bill remedy that?

Mr. GOODING. Not at all. It does not touch it.

Mr. FESS. I thought not.

Mr. GOODING. Mr. President, I ask permission to print in connection with my remarks certain tables and data to which I have referred.

There being no objection, the matter referred to was ordered to be printed in the Record:

FOURTH-SECTION VIOLATIONS NOW IN EFFECT SULPHUR

In 1922, when the Commerce Commission denied the general west-bound application, it did grant fourth-section violations on sulphur moving from Texas and Louisiana ports to Pacific coast ports, as follows:

From Texas and Louisiana ports to California ports, 55 cents per hundred; to intermediate points, 83.5 cents per hundred.

From Texas and Louisiana ports to north Pacific coast ports, 65 cents per hundred; to intermediate points, like Payette, \$1 per hundred. These are now in effect.

EAST BOUND FROM CALIFORNIA PORTS

In 1922, when the Commerce Commission denied the general west-bound application, it granted an application for fourth-section violations eastbound from California ports via the rail-and-water route of the Southern Pacific Railroad. This road operates a fleet of steamers from Galveston to New York City. The Southern Pacific hauls the goods from California ports by rail to Galveston and there loads on boats for shipment to New York.

In this violation a lower rate was granted from California terminal cities, like San Francisco and Los Angeles, to New York than the rate from interior California cities or Arizona cities to New York. This discrimination was for the purpose of taking eastbound traffic away from the Panama Canal boats. The violations granted follows:

	Rate from San Francisco and other terminals to New York	Rate from intermediate points such as Arizona to New York City
Asphalt.....	\$0.77	\$0.835
Beans.....	.70	1.05
Canned goods.....	.70	1.05
Dried fruits in boxes.....	.80	1.25
Dried fruits in sacks.....	1.00	1.45
Rice.....	.70	.92

THE MIAMI CASE

On July 7, 1925, the Interstate Commerce Commission granted application No. 12378 permitting the railroads to violate the long and short haul law on freight from Jacksonville, Fla., to Miami.

The reason for this, of course, was to permit the rail lines to take the business away from the boat lines along the coast of Florida. And, mind you, this was done when the railroads of Florida were so overloaded with traffic as to have a virtual freight blockade. Yet, with the railroads blockaded and unable to handle the business, they applied for and secured from the Interstate Commerce Commission fourth-section relief to take traffic away from the boat lines that were relieving the congestion.

THE WISCONSIN PAPER CASE

Last summer the Interstate Commerce Commission granted the famous Wisconsin paper case. It was an application by the railroads for long-and-short-haul violations from International Falls and other Wisconsin points to New Orleans in order to drive New England paper out of the Gulf-coast market. The Commerce Commission granted this application.

Mr. FESS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Ashurst	Ferris	La Follette	Sackett
Bayard	Fess	Lenroot	Sheppard
Blugham	Fletcher	McKellar	Shipstead
Blease	Frazier	McLean	Shortridge
Borah	George	McNary	Simmons
Bratton	Gillett	Means	Smith
Brookhart	Glass	Metcalf	Smoot
Broussard	Goff	Moses	Stanfield
Bruce	Gooding	Neely	Stephens
Butler	Hale	Norris	Swanson
Cameron	Harrell	Nye	Trammell
Capper	Harris	Oddie	Tyson
Caraway	Harrison	Overman	Wadsworth
Copeland	Howell	Pepper	Walsh
Couzens	Johnson	Phipps	Warren
Curtis	Jones, N. Mex.	Pine	Watson
Duncan	Jones, Wash.	Pittman	Weller
Edge	Kendrick	Ransdell	Wheeler
Edwards	Keyes	Reed, Pa.	Williams
Ernst	King	Robinson, Ark.	Withis

The VICE PRESIDENT. Eighty Senators having answered to their names, there is a quorum present.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks, announced that the House had

passed without amendment the bill (S. 3377) to amend section 5219 of the Revised Statutes of the United States.

THE PROHIBITION LAW

Mr. BRUCE. Mr. President, only a few minutes remain before the Senate is to go into executive session, but I would like to begin some observations that I desire to make on the speech delivered by the senior Senator from Tennessee [Mr. McKellar] in this Chamber on the 13th instant with respect to prohibition.

Of course, I do not propose to enter one way or the other upon the old classical arguments touching that subject. I have repeatedly pointed out in the Senate that ever since the enactment of the Volstead Act there has been a steady increase from year to year in arrests under that act, and also in convictions under the act, and I have also repeatedly called the attention of the Senate to the fact that from year to year since the enactment of the Volstead Act, in every city of this country, East, West, North, and South, there has been a steady increase in arrests for drunkenness.

In view of the recent report of Miss Willebrandt to the Department of Justice, I might add to what I have said that last year witnessed a large increase in the number of inmates in every Federal penitentiary in the United States. For illustration, the increase in the number of inmates in the penitentiary at Leavenworth, Kans., was 450; in the penitentiary at Atlanta, Ga., 405; and in the much smaller penitentiary at McNeil Island, Wash., 58. Those penal institutions are hardly able to furnish cubic space enough to accommodate the hapless victims of prohibition. Indeed, to such a point have things arrived that a man is almost disposed to think that in the course of a few years' time one half of the inhabitants of the United States will be in the penitentiaries and the other half will be drunk, and there will be nobody to look after the commonwealth at all.

When the Senator from Tennessee was making the address to which I have referred one of his exhibits brought out the fact that no less than 90 per cent of all the convictions in criminal cases in one of the Federal districts of Tennessee are convictions for violations of the Volstead Act. The United States district attorney for the State of New Jersey a few months ago stated that 90 per cent of all convictions in the Federal courts of the State of New Jersey were of that character. It has been recently stated by the Department of Justice that in 71 out of 81 Federal districts in the United States upward of 50 per cent of all the convictions in criminal cases are convictions under the Volstead Act.

As I have intimated, it is no part of my purpose to-day to linger upon those indisputable facts; but there are just two or three features of the speech delivered by the Senator from Tennessee upon which I wish to dwell. First of all, he said:

More than three and a half years ago the Manufacturers Record of Baltimore published letters from several hundreds of the foremost business men, manufacturers, bankers, farmers, educators, and professional men in the country, giving their views about the moral and economic value of prohibition. It appears that 98½ per cent of the reports showed they were in favor of some sort of prohibition, while 85½ per cent were for strict prohibition. Only 7 per cent wanted wine and beer, while 2.75 per cent were undecided and 1½ per cent were opposed to prohibition.

The circumstances surrounding those facts are these: In 1917 a large number of business men, farmers, educators, and professional men, to use the language of the Manufacturers Record, addressed a memorial to Congress suggesting that it take the necessary steps to bring about prohibition. Among the memorialists was Judge Elbert H. Gary, the president of the United States Steel Corporation. The statement has been made in the press that, notwithstanding his ardor about prohibition, his own habits are not those of a prohibitionist. That statement, to my knowledge, has been several times made in the press, and it has been made upon the floor of the Senate, and so far it has never been denied. Another one of those memorialists was Thomas A. Edison, of New Jersey. I trust he is not as familiar with "Jersey lightning" as he is with all other forms of electricity.

In 1922 the Manufacturers Record addressed a letter to all these memorialists—1,000 in number, the Record says they were—and asked them whether they were still of the same mind as they were when they signed the memorial. At the same time, we are told by the Record, it addressed a similar inquiry to several hundred other leading manufacturers, whose views about prohibition were entirely unknown to the Record, and to about 100 iron and steel men, who had at different times informed the Record that they favored prohibition. The Record states that the replies of 98½ per cent of the persons

inquired of showed that they were in favor of some sort of prohibition, and 85½ per cent of those were in favor of strict prohibition; so the Record tells us. Some of the memorialists, we are further told by the Record, could not be reached because they were abroad, and some because they were dead, and some did not answer. Later on, in 1925, a business man in New York addressed a letter to the Record stating that it would be a good idea for it to make a survey of the business men who had given those replies. The survey was made by the Record and the response, it declares, was overwhelmingly in favor of prohibition.

EXECUTIVE SESSION

The VICE PRESIDENT. The hour of 3 o'clock having arrived, under the unanimous-consent agreement the nomination of Thomas F. Woodlock to be a member of the Interstate Commerce Commission will be considered in executive session. The Sergeant at Arms will clear the galleries and close the doors.

Thereupon the Senate proceeded to the consideration of executive business. After 2 hours and 30 minutes spent in executive session, the doors were reopened.

KNOW TENNESSEE

Mr. McKELLAR. Mr. President, there has recently been conducted in Tennessee by the Nashville Banner and other newspapers of that State a most praiseworthy and enlightening campaign on "Know Tennessee." Public meetings were held and speeches made in many parts of the State. Prizes were offered by these newspapers for the best addresses on "Know Tennessee," and great enthusiasm and interest were aroused; and the historical, educational, agricultural, commercial, industrial, and natural resources of Tennessee were splendidly set forth.

The campaign ended with a tremendous mass meeting in Nashville on last Saturday. The two prize winners were Mr. Hammond Fowler, of Rockwood, Tenn., winning the first prize, and Mr. James N. McCord, of Lewisburg, winning the second prize. I have copies of these addresses, and they are most interesting and instructive. I ask unanimous consent that they may be published in the RECORD.

There being no objection, the addresses were ordered to be printed in the RECORD, as follows:

MR. FOWLER'S ADDRESS

The oration delivered by Hammond Fowler, of Rockwood, which was awarded first honors by the judges in the final contest of the "Know Tennessee" campaign at Tennessee War Memorial Auditorium Saturday night, carrying with it the award of the handsome silver trophy and \$500 in money, and which was broadcast from station WSM at 11 o'clock Saturday night, is in full as follows:

"To appreciate fully the remarkable extent of Tennessee's many-sided progress let us first retrace the winding trail of time to a day which men still living can recall. Tennessee in 1866 was a State truly exemplifying a great Tennesseean's description of the postwar South—'A land that has known sorrow and moistened it with tears, a land furrowed and riven by the plowshare of war and pillowed with the graves of her dead.'

"No other State had been so torn with fratricidal strife and bitterness; no other State save Virginia has been the scene of so many bloody conflicts of American arrayed against American. Tennessee in 1866 was in a condition of utter ruin; her social, economic, and political system in upheaval and her population rent into bitterly hostile sectional factions which eyed each other with enmity and suspicion. Educationally she plumbed the lowest depths. Politically an unrepresented mockery of government forced the respecting white element to the extremity of organizing the original Ku-Klux Klan for upholding society and administering a measure of justice.

"It is indeed a dark and distressing background, but one which brings out the subsequent achievements of Tennessee in bold relief and adds new glory to the volunteer State's heroic rise from war's ashes and reconstruction's cramping shackles.

"To attempt to enumerate in the brief space of 20 minutes every noteworthy phase of Tennessee's progress, resources, and opportunities is as futile as an attempt to dip up the Mississippi River with a gourd—indeed, it would be a task to set them forth adequately in as many hours.

"STATE'S GREAT SEAL

"In casting about for means of selecting the phases of most importance, I was impressed with the motto upon the State's great seal, 'Agriculture—Commerce,' and, interpreting the latter in the larger sense of producing articles of commerce, I shall seek to show how altogether appropriate for the present age is the State emblem designed by our forefathers.

"Since the days of Rome and Babylon agricultural strength has constituted the ultimate strength of every important nation, and Tennessee's agricultural richness is almost unbounded. Agriculturally

Tennessee, while but thirty-third in size, ranks twentieth among the States and holds fourth place in the South—the South of this discussion being not alone the territory east of the Mississippi and south of the Ohio and Potomac Rivers, but a vast and varied empire reaching from the upper waters of Chesapeake Bay or the desert land where New Mexico joins Texas, comprising one-third of all the States of the Union. Situated in the heart of this greater Southland, Tennessee is a veritable demonstration farm for the whole United States.

"Within Tennessee's borders every crop recorded in the Federal census—save only rice, sugar, and tropical fruits—is grown. Tennessee has forged to the front so rapidly that from 1900 to 1923 the value of her crops and livestock increased sixfold.

"GREAT CORN CROP

"For 15 years Tennessee's corn crop has been the largest in the South, except the immense State of Texas, and last year, handicapped by a drought unprecedented since the establishment of the Weather Bureau, Tennessee farmers raised a corn crop valued at more than \$56,000,000. If ground into meal and put up in 24-pound sacks, it would suffice to pave a 96-foot roadbed the entire length of the Memphis-to-Bristol highway, with meal bags laid one against another.

"Increasing her tobacco crop 700 per cent in the past quarter century, Tennessee last year reached third place in the South as a tobacco-growing State. If all Tennessee's 1925 tobacco were rolled into cigarettes it would take one man, starting to-night, smoking one every five minutes, and keeping it up 24 hours a day, on down through the ages till the year 58,926 to consume the entire crop.

"Her 1925 cotton crop amounted to a half million bales of the snowy substance. If Tennessee soldiers to-day faced an invading foe behind cotton ramparts as they did to save New Orleans in 1815, they might place Tennessee's bales end to end and have a far-flung battle line extending from the field where Andrew Jackson smashed the flower of the British Army northward to a lofty hilltop where "Old Hickory," lying in imperishable bronze, mounts guard beside the State capitol at Nashville.

"Tennessee's striking agricultural diversification is indicated by the fact that she ranks sixth in the Nation and third in the South in percentage of human food grown locally, only 22 per cent of the State's provisions coming from outside her own borders. Value of her farm property exceeds one and a quarter billion dollars—and over half of her population is engaged in agriculture.

"RECLAIMED LAND

"An illuminating commentary on the enterprise and energy of west Tennessee farmers is the fact that, though the State's area unfit for cultivation without drainage is a mere fraction of that in most Southern States, drainage enterprises representing an outlay of over \$3,000,000 have reclaimed an acreage in that section larger than all of Scott, Sumner, or Haywood Counties, and made tillable fields of alluvial soil as rich as the valley of the Nile, from which truck farmers have cleared as high as \$500 per acre in a single year.

"Tennessee has long been famous as a livestock State, sharing with Kentucky the distinction of breeding the finest and fastest horses, and with Missouri that of being the home of the original hay-burning tractor, whose elongated ears have waved beside the American flag in every war and whose flying heels have been the inspiration for humorists the world over. Despite the encroachment of Detroit there were over half a million horses and mules on Tennessee farms at the beginning of the present year.

"Tennessee is rapidly becoming the dairy center not alone of the South but of the Nation. A State that 15 years ago was buying her butter from Wisconsin is now manufacturing this golden product—golden in more ways than one—to the amount of over 13,000,000 pounds each year. The State has 16 cheese factories, 125 creameries, and an annual output of dairy products larger than any Southern State except Missouri.

"STRAWBERRY CROP

"Tennessee leads the Nation in strawberry growing, shipping in 1924 3,700 cars of the ruby fruit, valued at \$15,000,000. In 1925 Tennessee's peach crop amounted to over 1,800,000 bushels, selling for more than \$3,000,000, while the peach-growing industry is in its infancy. Tennessee peaches have been marketed in all the large cities of the North and East, and even found their way into Canada and across the Atlantic to England.

"The Volunteer State leads the South in the poultry industry, the value of her poultry and eggs increasing nearly 250 per cent in the last 15 years and reaching in 1924 \$29,000,000. Nashville and Morristown are the greatest southern poultry-shipping centers, while Knoxville has the South's largest chick hatchery, sending its cheep, fluffy, day-old products throughout the Northern and Eastern States.

"And now, after a brief airplane view of some outstanding aspects of Tennessee's agricultural greatness, let us bend our course to the fields of commerce and industry. Latest census figures show over 4,500 industrial plants within the State, engaged in 135 different lines of manufacturing, with an invested capital of \$410,000,000. From 1921 to 1923 the value of Tennessee's industrial output increased 48

per cent, while reliable estimates for 1925 place the total at the princely sum of over \$700,000,000, an increase of 25 per cent over 1923, nearly 100 per cent over 1921, and 3,000 per cent over 1880. The State's leading manufacturing industry in 1923 was knit goods, with \$40,000,000 output, while the following ranged from \$35,000,000 to \$39,000,000: lumber and timber; cotton goods, flour and grain mill products; railroad repair shops; planing-mill products; cottonseed oil; foundry and machine shops; printing and publishing; furniture; ice cream; and confectionery.

"Tennessee leads the South in the rayon industry, the du Pont interests at Nashville and European capital at Elizabethton having under construction plants representing an investment of some \$30,000,000 for the manufacture of this artificial silk, which has assumed great importance in the world's commerce.

"In the quarter century closing last year, Tennessee increased the number of active spindles in her cotton mills over 400 per cent, having a half-million turning in 1925, while the percentage of total spindles active was larger than that of Massachusetts, New England's greatest textile State. Prophetic of similar action in other industries and typical of southern textile supremacy, two Massachusetts cotton mills were dismantled in 1924 and moved to new locations in Tennessee, the New England of Dixie! East Tennessee has become America's greatest staple hosiery-making region. The South's largest blanket factory is in a middle Tennessee town. Tennessee ranks third in the South as a flour and grist milling State, Nashville making more flour than any other southern city; she is third in the South in furniture manufacturing, first in stoves and ranges, first in the world in cotton-seed oil products. She leads the South in printing and publishing, the largest southern printing establishment being in an east Tennessee town, while Nashville publishes more religious periodicals than any other city in America.

"Tennessee is second in the South in mining iron ore and manufacture of pig iron, producing nearly 300,000 tons of ore and a quarter million tons of iron in 1923. The first coal-using iron furnace south of the Ohio River was in Rockwood, where the original company still makes iron with a record of 53 years of uninterrupted 24-hour-a-day production.

"MANY FORESTS

"From Tennessee's 12,000,000 acres of forest land, containing 140 species of trees, were cut 451,000,000 feet of timber in 1921, while standing timber is estimated at 65,000,000,000 feet. A report issued by the State forestry division only two days ago places the 1925 output of mills in 22 counties at 575,000,000 feet, and says 'no hardwood timber lands in the United States have a greater potential value than of the Cumberland Plateau in Tennessee.' Cut-over lands will reproduce a timber crop more rapidly than in any other section of the United States, owing to the long growing season and abundant rainfall. Memphis is the world's greatest hardwood market, with Nashville second.

"In 1923 Tennessee stood thirteenth in the Nation and third in the South in electrical output, while the potential hydroelectric power awaiting development along her rivers challenges the imagination of the most visionary dreamer and leaves the brain dizzy in an attempt to conceive of its immensity. Conservative engineers who have spent years in the study of conditions here estimate that the Tennessee and Cumberland River systems within Tennessee are capable of producing some 5,000,000 horsepower of electrical energy—one-fifth of the potential power of all the 48 States combined. To put it graphically, Tennessee's hydroelectricity could crown the brow of mother earth with a halo of eternal light by supplying current for a white way of 5,000 candlepower bulbs set 35 feet apart on either side of a 25,000-mile boulevard. Had Tennessee no resources save her waterpower she would still be a splendidly favored Commonwealth of boundless opportunities. To go into details of Tennessee's power resources would exclude the discussion of any other subject, but suffice it to say that the projected development is no idle dream, that sites have actually been located and negotiations started looking to the early construction of dams to develop a million horsepower in the upper Tennessee and that their completion will give east Tennessee's industrial regions not only power but all-year navigation and an all-water outlet to the Gulf ports.

"POWER ENERGY

"Not content with endowing Tennessee's soil with fertility, clothing her hills with forests, and blessing her streams with potential energy to do the world's work, the great Creator placed beneath her surface 57 of the 63 commercial minerals known to the United States, thus making her a specimen case of diversified mineral resources found in no similar area on the American continent. Tennessee ranks second in the United States in the production of marble and of phosphate rock. East of the Mississippi she leads all States save Michigan in copper mining and New Jersey in zinc. She is second in the South in iron and fifth in coal mining, while at the 1923 production rate of 6,000,000 tons her coal fields are estimated to have a 4,000 years' supply. She produced \$5,000,000 worth of Portland cement and \$5,000,000 worth of

clay in 1924, the latter being brick clay, suitable for all kinds of brick, and ball clay for china, porcelain, and pottery.

"A single town in one month last year shipped 30 carloads of china and pottery, and development of Tennessee's clay promises to make her the center of Dixie's growing ceramic industry. Tennessee's petroleum output in 1925, though comparatively small, showed a 230 per cent increase over 1924—more than any State except New Mexico.

"Among other minerals found in quantities sufficient to warrant mining operations are: Barytes, bauxite, fluorspar, limestone, manganese, silica, slate, and traces of gold. The value of all minerals quarried or mined in Tennessee in 1924 was \$46,000,000—an increase of 50 per cent over 1919 and 500 per cent over 1900.

"HER CITIZENSHIP

"I have told you much, ladies and gentlemen, about the progress and resources of Tennessee, but much more must remain unsaid. I have not stressed the fact that she has an orderly, intelligent, God-fearing Anglo-Saxon citizenship—a population 79 per cent white and literally 99.3 per cent pure American born; that, despite relatively small expenditures for public health, her white death rate in 1922 was lower than that of California, Florida, Maine, or Massachusetts; that a greater percentage of county and State revenue from taxation is spent for public education than in Massachusetts, New York, Illinois, Rhode Island, or Maryland—the home State of a misguided creature who in a recent magazine article referred to Tennesseans as 'lop-eared yokels' and Tennessee as 'semisavage.'

MR. McCORD'S ADDRESS

The oration delivered by James N. McCord, of Lewisburg, which was awarded second honors and earned the \$250 offered by the Banner, is in full as follows:

"As the fingers of the sunbeam
Lift the drapery of night,
Soundless its forms are shaping
Neath the touches of the light,
And with eloquence unuttered
Speak they to the listening heart
As the traveler softly enters
Nature's gallery of art."

—Hageman.

"The poet must have had Tennessee in mind when he penned these lines. A State where nature's beauty attracts the visitor and bids him linger and, lingering, holds him in her tender embrace. A State peopled by the purest Anglo-Saxon citizenship, practically all descendants of pioneers. A climate that rivals that of any section of our country in its different and delightful changes.

"When the hardy pioneer blazed the trail into what is now Tennessee and from the trackless wilderness began the fashioning of a settlement he opened the door of opportunity to mankind, and all who have entered and who will enter have found and will continue to find the greatest possible fulfillment of their fondest dreams of wealth, of health, and happiness.

"But as every yesterday must have its to-day, so must every to-day have its to-morrow. We are rich in the heritage that is ours of the golden years of yesterday, splendid in the development of our resources of to-day, and wonderful in our possibilities and opportunities of to-morrow. A State of hallowed and precious memories, proud of those Tennesseans who have written their names high and well in the Nation's history as statesmen, as soldiers, as scholars, and as Christians. Sleeping in her tender and encircling arms is the dust of three Presidents of the Republic, a gift from Tennessee to the Nation. Equally as peacefully and as sacredly does she guard the narrow homes of soldiers and patriots of all wars from the Revolutionary to the great World War. Scholars of early days sleep in her soil, resting from completed labors that have benefited the race. Representatives of the Christian religion, who builded well the foundation structure of Christian citizenship, sleep their last long sleep in her bosom, here to arise when they shall be called to their reward.

"STRONG CHARACTER

"Outstanding characters were developed when we were only a territory, only to become more potent in world affairs when we became a part of the United States in June, 1796. Much time could be given to Jackson, Polk, Johnson, Sevier, Houston, Crockett, Forrest, and Davis, but let it suffice that the outstanding individual hero of all wars in which he fought was Tennessee's Andrew Jackson; the outstanding individual hero of the war for Texas independence was Tennessee's Davy Crockett; the outstanding individual hero of the Civil War was Tennessee's Sam Davis, and the outstanding individual hero of the great World War was Tennessee's Alvin York.

"In the World War the One hundred and fourteenth Field Artillery of Tennessee ranked first in the artillery units of the second army, while the Thirteenth Division, composed largely of Tennesseans, was the first to break the almost impregnable Hindenberg line. We would like to spend more time with the great characters that made Tennessee history and laid the foundation for her splendid citizenship. They

will live in our hearts as long as life lasts. But as every yesterday must have its to-day, so must we come to the matter of knowing Tennessee as she is now and the delightful anticipation of what she will be to-morrow.

"The development of Tennessee has been amongst the outstanding features of this Nation. From the beginning of the settlement of this empire Tennessee has been essentially an agricultural section, and the vast wealth of crops of every known kind that can be grown in the latitude in which we are located are, in a large measure, developed and grown here, and they find easy access to and ready sale in the markets of the world. Tennessee produces 78 per cent of the food that her people consume. There are 252,669 farms in Tennessee, 218,020 operated by white farmers and the balance of a little more than 34,000 are operated by the colored race. We have 26,000,000 acres in our area, 17,911,025 acres in farm lands, with 11,185,302 acres in improved lands, the balance in woodland and pasture. There were, however, last year 1,271,171 idle acres in Tennessee. Our farm lands and buildings are valued at about \$750,000,000, while the average price per acre is estimated at \$42.50.

"PRINCIPAL CROPS

"Our principal crops are corn, oats, wheat, barley, white and sweet potatoes, cotton, tobacco, and fruits of many varieties. Our production of corn for 1925 was about 60,000,000 bushels, notwithstanding the unprecedented drought, but with redoubled energies and the active cultivation of more than 10 per cent of our improved land that was idle last year our possibilities for to-morrow are not 70,000,000 or 80,000,000 bushels but 100,000,000 bushels. It is estimated that corn fed to hogs at present value will net the farmer \$3 per bushel. Compute in your mind the vast wealth for Tennessee from this one crop. What is true of corn is true in like proportion of the other grains we produce. There is nothing more inspiring than oceans of golden grain waving in the crisp air of a Tennessee day as it bows its head to the coming crop of red clover, giving from the field a rich yield to the owner and welcoming the coming of a legume that returns a fertility to the soil, guaranteeing to coming generations and even to those as yet unborn continued productivity of soil in the years that await.

"Commercial fruit growing has already passed the experimental stage in Tennessee, and many orchards and fields are yielding their owners a satisfactory income. We are fast becoming the leading truck-farming State of the South. We grow more strawberries than any of our sister States or, for that matter, any State in the Union. Millions and millions of dollars in green wrapped tomatoes are shipped from our borders in season; and what traveler away from home but that knows that every breakfast table of the East serves the rich-flavored, red-meat Tennessee cantaloupe? Canning plants dotted here and there over the State are sending Tennessee canned vegetables to the grocery shelves of the world.

"Tennessee ranks second in the Union in the number of colonies of bees kept on farms and seventh in the number of pounds of honey produced annually. We produced in 1920, in round numbers, \$698,259 in honey and the half of the value of the bee culture is not told, because the bee is the pendulum that swings to and fro over orchard and field, giving a wealth of inestimable value to growing crops of fruit and vegetables.

"Livestock has been and will continue to be one of the greatest if not the greatest of our endeavors. There is no State in the Union that offers better advantages for the production of livestock than does Tennessee. We have an abundance of bluegrass, an unlimited supply of water, and all the lime in our soil for the development of bone. Hardly a county in the State but that is especially adapted to this industry. Our values for 1925 show a marked increase over 1920, but the half of our possibilities are yet untold.

"We are becoming a sheep-growing State and many farmers are obtaining wonderful results with the produce from their flocks. Our lambs and wool are ready for market long before those of Virginia and Kentucky, and as a result we get the earliest and best prices. It may interest you to be reminded that a bit of fleece from a Tennessee sheep won the grand prize at the London, England, exposition in 1856.

"We are short on hogs, but we challenge the world for a location better than ours for the production of hogs and the development of the swine industry. The present agitation for more hogs and the ton-litter development idea with proper feeding and sure profits is one along educational lines, and we may soon come back to the honor that was ours in 1850, that of being the leading hog State in the Union.

"We have more purebred beef cattle than any other State in the Southeast. The three outstanding breeds of the beef type, Shorthorn, Aberdeen-Angus, and Hereford, being produced with signal success.

"DAIRY PROWESS

"The greatest dairy herds of the South are Tennessee herds. The dairy industry, yet in its infancy, produced \$4,000,000 in 1925 from our creameries and cheese factories. Our cows are of unusual quality, and we are improving them every year. You may be interested in knowing that the first Jersey cow in the world to produce as much as 900 pounds of butter within a year was a Tennessee cow. The thirteenth gold-medal bull in the United States was developed in Tennessee.

Tennessee was the first State in the South to take up the eradication of bovine tuberculosis. In 1922 Bradley County in east Tennessee, Marshall County in middle Tennessee, and Shelby County in west Tennessee became tuberculosis-free areas. As a result our cows have been in heavy demand and we are shipping them by carload into the New England States, Canada, British Columbia, the Northwest, Mexico, Cuba, and throughout the South. After a while when the entire State is a free area we will be outstanding for health and high producing herds.

"We produce the greatest value of poultry and eggs in all States east of the Mississippi and south of the Ohio Rivers. We have the greatest hatchery center at Knoxville, the largest shipping center at Morristown, a trainload of poultry going from there to the East every Friday in the year, the greatest market-fattening center at Nashville. This interest is growing steadily in middle and west Tennessee, and with all natural and commercial advantages the future development of the poultry business on a standardized basis is bright. Our revenue from the poultry industry in 1924 was \$29,000,000.

"The industrial development of Tennessee is astounding, once we appreciate its immensity. The manufactured products of the State for 1923 was \$555,265,595. This was before the location of the two rayon silk plants in Tennessee, one at Old Hickory and the other at Johnson City. The rounded achievement of Tennessee in manufacturing is wonderful and the estimated value of the products for 1925 is \$700,000,000. There is every good reason for the belief that the harnessing of more power from our waterways, our ideal labor conditions, will increase this amount to more than \$1,000,000,000 within this good year.

"FOREST PRODUCTS

"The products of our forests reached \$20,000,000 in 1923. Ninety-five per cent of the red cedar in the United States is within four counties of Tennessee. More children have learned to form the letters of the alphabet and more dotted lines have been signed by pencils made from Tennessee red cedar than from all other States of the Union combined.

"We are unable to compute the value of our mineral wealth, but we do know minerals of the country abound in the soil of our State. The output of the mines for 1925 was more than \$46,000,000, and the surface of these rich deposits has hardly been touched.

"We are rich in our development of farming, manufacturing, and mines, the revenue derived from these three sources in 1925 being in excess of \$2,000,000,000. Oh, if the knowing of Tennessee will only awaken a keener interest within our own borders it will bear fruit from out yonder, and with the influx of people into Tennessee we will build onto the splendid structure already begun and will grow on and on in the development of our limitless resources.

"The development of our water power is one of the big things before us to-day. It has been estimated by high authorities that the potential water power of the Tennessee River and its tributaries constitutes one-fifth of the entire water power of the United States. Fifteen years ago there were no hydroelectric developments in Tennessee. To-day the installed capacity is about 167,000 horsepower. If the present installation of equipment in hydroelectric plants in Tennessee continues, we should see about 330,000 horsepower within the next four years. It is estimated that there is yet available and awaiting development here something in excess of 1,000,000 horsepower.

"Tennessee is knitted together by a splendid system of railroads, fast destroying distances between given points and placing every section of the State not only in easy access of our own markets but within 24 to 36 hours of every available market.

"HIGHWAYS INCREASE

"We are taking high rank in the development of our highways, and splendid thoroughfares traverse most all counties of the State. We are just beginning this era of development. Where these highways go a better spirit of progress abounds, and Tennessee in growing out of the mud is staying high in the sunlight of splendid ideals, with the result that we are moving at a rapid rate in the development of every rural section of the State.

"Tennessee has ever been willing to open her purse strings to the boys and girls of the State. Thirty-three and one-third per cent of the gross revenue from all sources collected by the State are devoted to educational purposes. We have eight months' terms in our rural and elementary schools, a splendid high-school system, three splendid normals, one in each grand division of the State, the Polytechnic Institute at Cookeville, and the greatest institution of the kind in America in the University of Tennessee, at Knoxville. And this is not all; we have Peabody, Vanderbilt, Cumberland, and many other universities here and there over the State, and in Fisk we have the largest university in the United States for the colored race.

"The greatest development of our resources is in taking the raw material of childhood and passing it through our splendid educational institutions, making it a finished product in the manhood and womanhood of the State and sending them all over the Nation, where they are moulding sentiment and having their influence in controlling the destiny of the Republic.

"Tennessee has passed the dawn and shines resplendent. We have passed from the darkness of that overpowering poverty which rested

like a pall on our State after the Civil War and reconstruction days. The clouds were heavy and lowering, but sunrise is here. We see the morning light and it will grow to meridian heights and flood the whole State with the glory of wide prosperity and progress.

"O Tennessee! You are wonderful in your scenic beauty. A land where tall trees lean together in friendly embrace, where the pink rambler and the American Beauty grow in profusion. You are wonderful in all your glory; your borders are a veritable garden of flowers. You are the coziest corner in nature's gallery of art.

"I have failed to dwell upon Tennessee's unequalled scenic wonders that have focussed the eyes of the world on her mountains, the highest, wildest, and grandest in eastern America. I have failed to picture, nor can I adequately do so now, the matchless all-year climate of Tennessee, with winters seldom too cold to interfere with work or play, summers seldom too hot for health or comfort, and spring and autumn seasons of delight such as no other sections enjoy.

"As for the opportunities of Tennessee—study her resources, survey her unparalleled possibilities, from where the majestic flow of the Mississippi waters, the dense verdure of alluvial plains, eastward to where the mid-high peaks of the Great Smokies tower into the chill upper reaches of a sapphire sky to catch the first kiss of morning sunlight. Dream dreams, see visions—then turn to the cold pages of Tennessee facts and find a place for the fulfillment of your heart's desire!

"Tennesseans! Fellow citizens of the State that gave me birth and within whose borders I hope to live and work till my final summons comes, let us appreciate the greatness of our own home State; let us realize her splendid past, her inspiring present, and from these combined catch a vision of a Tennessee of the future which shall along every line of endeavor surpass the Tennessee of 1926 even as the latter surpasses the broken, bleeding, ruin which was Tennessee in 1866. Let us forget narrow prejudices, wipe out sectional lines, drop our 'hyphenated' titles of east Tennessee, middle Tennessee, and west Tennessee, and, like the three musketeers of Dumas's romance, join our hearts and hands in a sacred pledge of 'one for all and all for one'—Tennesseans dedicated to the upbuilding and development of Tennessee!"

COLORADO RIVER BRIDGE NEAR BLYTHE, CALIF.

Mr. SHORTRIDGE. I ask unanimous consent for the present consideration of the bill (S. 3103) authorizing the construction of a bridge across the Colorado River near Blythe, Calif.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Commerce with an amendment, to strike out all after the enacting clause and to insert:

That the consent of Congress is hereby granted to John Lyle Harrington, his heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Colorado River at a point suitable to the interests of navigation, near the city of Blythe, Calif., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this act. The construction of this bridge shall not be commenced, nor shall any alteration in such bridge be made either before or after its completion, until the plans and specifications for such construction or alteration have been submitted to the Secretary of War and the Chief of Engineers and approved by them as being adequate from the standpoint of the volume and weight of traffic which will pass over it.

SEC. 2. The said John Lyle Harrington, his heirs, legal representatives, and assigns, is hereby authorized to fix and charge tolls for transit over such bridge, and the rates so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in such act of March 23, 1906.

SEC. 3. After the date of completion of such bridge, as determined by the Secretary of War, either the State of California, the State of Arizona, any political subdivision of either of such States, within or adjoining which such bridge is located, or any two or more of them jointly, may at any time acquire and take over all right, title, and interest in such bridge and approaches, and interests in real property necessary therefor, by purchase or by condemnation in accordance with the law of either of such States governing the acquisition of private property for public purposes by condemnation. If at any time after the expiration of 20 years after the completion of such bridge it is acquired by condemnation, the amount of damages or compensation to be allowed shall not include good will, going value, or prospective revenues or profits, but shall be limited to the sum of (1) the actual cost of constructing such bridge and approaches, less a reasonable deduction for actual depreciation in respect of such bridge and approaches, (2) the actual cost of acquiring such interests in real property, (3) actual financing and promotion costs (not to exceed 10 per cent of the sum of the cost of construction of such bridge and approaches and the acquisition of such interests in real property), and (4) actual expenditures for necessary improvements.

SEC. 4. The said John Lyle Harrington, his heirs, legal representatives, and assigns, shall, immediately after the completion of such

bridge, file with the Secretary of War a sworn itemized statement showing the actual original cost of constructing such bridge and approaches, including the actual cost of acquiring interests in real property and actual financing and promotion costs. Within three years after the completion of such bridge the Secretary of War may investigate the actual cost of such bridge, and for such purpose the said John Lyle Harrington, his heirs, legal representatives, and assigns, shall make available to the Secretary of War all of his records in connection with the financing and construction thereof. The findings of the Secretary of War as to such actual original costs shall be conclusive.

Sec. 5. The right to alter, amend, or repeal this act is hereby expressly reserved.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

RECESS

Mr. JONES of Washington. I move that the Senate take a recess, in accordance with the unanimous-consent agreement entered into on the 16th instant.

The motion was agreed to; and the Senate (at 5 o'clock and 30 minutes p. m.), under the unanimous-consent agreement heretofore entered into, took a recess until to-morrow, Wednesday, March 24, 1926, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate March 23 (legislative day of March 20), 1926

POSTMASTERS

ALABAMA

Harry L. Jones to be postmaster at Bay Minette, Ala., in place of H. L. Jones. Incumbent's commission expired February 14, 1926.

Henry M. Gay to be postmaster at Lanett, Ala., in place of H. M. Gay. Incumbent's commission expired March 22, 1926.

Arthur G. Smith to be postmaster at Opelika, Ala., in place of A. G. Smith. Incumbent's commission expired March 22, 1926.

Joseph J. Langdon to be postmaster at Reform, Ala., in place of J. J. Langdon. Incumbent's commission expires March 23, 1926.

Dona M. Dees to be postmaster at Repton, Ala., in place of D. M. Dees. Incumbent's commission expired March 23, 1926.

CALIFORNIA

Nellie Pellet to be postmaster at Brawley, Calif., in place of Nellie Pellet. Incumbent's commission expired March 22, 1926.

Walter D. Neilson to be postmaster at Del Monte, Calif., in place of W. D. Neilson. Incumbent's commission expired October 8, 1925.

Ray G. Brackett to be postmaster at Geyserville, Calif., in place of R. G. Brackett. Incumbent's commission expired November 23, 1925.

Tracy Learnard to be postmaster at Gilroy, Calif., in place of Tracy Learnard. Incumbent's commission expired March 22, 1926.

Frank L. Huff to be postmaster at Mountain View, Calif., in place of F. L. Huff. Incumbent's commission expired March 22, 1926.

John W. G. Mauger to be postmaster at Standard, Calif., in place of J. W. G. Mauger. Incumbent's commission expired March 22, 1926.

COLORADO

Hoyt D. Whipple to be postmaster at Berthoud, Colo., in place of H. D. Whipple. Incumbent's commission expired March 22, 1926.

Frank M. Whalen to be postmaster at Deertrail, Colo., in place of F. M. Whalen. Incumbent's commission expired December 14, 1925.

Albert Neuman to be postmaster at Elbert, Colo., in place of Albert Neuman. Incumbent's commission expired February 17, 1926.

Norman P. Beckett to be postmaster at Lafayette, Colo., in place of N. P. Beckett. Incumbent's commission expired March 22, 1926.

Thomas S. Percy to be postmaster at Tabernash, Colo., in place of T. S. Percy. Incumbent's commission expired March 22, 1926.

DELAWARE

Samuel S. Dennison to be postmaster at Yorklyn, Del., in place of S. S. Dennison. Incumbent's commission expired November 15, 1925.

FLORIDA

William T. DuPree to be postmaster at Citra, Fla., in place of W. T. DuPree. Incumbent's commission expires March 24, 1926.

Homer B. Rainey to be postmaster at Wauchula, Fla., in place of H. B. Rainey. Incumbent's commission expires March 24, 1926.

ILLINOIS

Emma H. Paine to be postmaster at Alpha, Ill., in place of E. H. Paine. Incumbent's commission expired November 17, 1925.

Gustav H. Beckemeyer to be postmaster at Beckemeyer, Ill., in place of G. H. Beckemeyer. Incumbent's commission expired March 21, 1926.

Lacey D. Irwin to be postmaster at Kane, Ill., in place of L. D. Irwin. Incumbent's commission expired February 24, 1926.

Peter F. Moore to be postmaster at Lake Forest, Ill., in place of P. F. Moore. Incumbent's commission expires March 24, 1926.

Ray F. Tribbett to be postmaster at Mount Pulaski, Ill., in place of R. F. Tribbett. Incumbent's commission expires March 24, 1926.

Henry W. Schilling to be postmaster at Noble, Ill., in place of H. W. Schilling. Incumbent's commission expired March 21, 1926.

Edward F. Guffin to be postmaster at Pawpaw, Ill., in place of E. F. Guffin. Incumbent's commission expires March 24, 1926.

INDIANA

Jennette Mertz to be postmaster at Bunker Hill, Ind., in place of Jennette Mertz. Incumbent's commission expires March 23, 1926.

Earl R. Shinn to be postmaster at Mentone, Ind., in place of E. R. Shinn. Incumbent's commission expires March 23, 1926.

Omer R. Metz to be postmaster at South Whitley, Ind., in place of P. A. Edwards. Incumbent's commission expired January 30, 1926.

Othor Wood to be postmaster at Waldron, Ind., in place of Othor Wood. Incumbent's commission expires March 23, 1926.

William W. Schmidt to be postmaster at Wanatah, Ind., in place of W. W. Schmidt. Incumbent's commission expired January 18, 1926.

IOWA

Mikel L. Larson to be postmaster at Callender, Iowa, in place of M. L. Larson. Incumbent's commission expired March 22, 1926.

George E. Gates to be postmaster at Edgewood, Iowa, in place of G. E. Gates. Incumbent's commission expired March 2, 1926.

Weber B. Kuenzel to be postmaster at Garnaville, Iowa, in place of W. B. Kuenzel. Incumbent's commission expired December 14, 1925.

Anna M. Wilhelmi to be postmaster at Garwin, Iowa, in place of A. M. Wilhelmi. Incumbent's commission expired October 20, 1925.

Ralph A. Dunkle to be postmaster at Gilman, Iowa, in place of R. A. Dunkle. Incumbent's commission expires March 24, 1926.

Jay E. Beemer to be postmaster at Gravity, Iowa, in place of J. E. Beemer. Incumbent's commission expires March 24, 1926.

William Hayes to be postmaster at Harlan, Iowa, in place of William Hayes. Incumbent's commission expired March 22, 1926.

Isabelle A. Boyle to be postmaster at McGregor, Iowa, in place of I. A. Boyle. Incumbent's commission expires March 24, 1926.

Elmer L. Langlie to be postmaster at Marquette, Iowa, in place of E. L. Langlie. Incumbent's commission expired December 14, 1925.

Harley S. Rittenhouse to be postmaster at Monona, Iowa, in place of H. S. Rittenhouse. Incumbent's commission expired March 2, 1926.

Marshall W. Maxey to be postmaster at Riverton, Iowa, in place of M. W. Maxey. Incumbent's commission expired January 18, 1926.

George H. Kinney to be postmaster at Stacyville, Iowa, in place of G. H. Kinney. Incumbent's commission expired March 22, 1926.

Simon C. V. Blade to be postmaster at Stanton, Iowa, in place of S. C. V. Blade. Incumbent's commission expired March 22, 1926.

KANSAS

Frank E. George to be postmaster at Altamont, Kans., in place of F. E. George. Incumbent's commission expired December 21, 1925.

Benjamin F. Liebst to be postmaster at Greeley, Kans., in place of B. F. Liebst. Incumbent's commission expired October 20, 1925.

KENTUCKY

William H. Sergent to be postmaster at Jenkins, Ky., in place of W. H. Sergent. Incumbent's commission expired November 15, 1925.

MAINE

Anna T. Douglass to be postmaster at Yarmouthville, Me., in place of A. T. Douglass. Incumbent's commission expired November 15, 1925.

MICHIGAN

Verl L. Amsbaugh to be postmaster at Camden, Mich., in place of V. L. Amsbaugh. Incumbent's commission expires March 24, 1926.

Fred G. Rafter to be postmaster at Decatur, Mich., in place of F. G. Rafter. Incumbent's commission expired March 22, 1926.

Claude E. Hyatt to be postmaster at Linden, Mich., in place of C. E. Hyatt. Incumbent's commission expired March 22, 1926.

Otto J. Benaway to be postmaster at Orion, Mich., in place of O. J. Benaway. Incumbent's commission expired March 22, 1926.

Charles J. Gray to be postmaster at Petoskey, Mich., in place of C. J. Gray. Incumbent's commission expired March 22, 1926.

Hattie B. Baltzer to be postmaster at Scottville, Mich., in place of H. B. Baltzer. Incumbent's commission expired March 22, 1926.

Grover J. Powell to be postmaster at Washington, Mich., in place of G. J. Powell. Incumbent's commission expired March 22, 1926.

Joseph L. Kelly to be postmaster at Watersmeet, Mich., in place of J. L. Kelly. Incumbent's commission expired March 22, 1926.

MINNESOTA

Pearl M. Hall to be postmaster at Ah-Gwah-Ching, Minn., in place of P. M. Hall. Incumbent's commission expired March 21, 1926.

Edith A. Marsden to be postmaster at Hendrum, Minn., in place of E. A. Marsden. Incumbent's commission expired November 22, 1925.

William Pennar to be postmaster at La Porte, Minn., in place of William Pennar. Incumbent's commission expires March 24, 1926.

MISSISSIPPI

Mable C. Brashears to be postmaster at Gunnison, Miss., in place of M. C. Brashears. Incumbent's commission expired February 17, 1926.

Florence Brady to be postmaster at Lula, Miss., in place of Florence Brady. Incumbent's commission expired March 21, 1926.

MISSOURI

Ada M. Pattie to be postmaster at Amsterdam, Mo., in place of Marie Amyx. Incumbent's commission expired December 21, 1925.

Carl F. Sayles to be postmaster at Laclede, Mo., in place of C. F. Sayles. Incumbent's commission expired February 17, 1926.

Herbert H. A. Redeker to be postmaster at Morrison, Mo., in place of H. H. A. Redeker. Incumbent's commission expired February 17, 1926.

Charles O. Vaughn to be postmaster at Weaubleau, Mo., in place of C. O. Vaughn. Incumbent's commission expired February 17, 1926.

William P. Murphy to be postmaster at Wheatland, Mo., in place of W. P. Murphy. Incumbent's commission expired February 2, 1926.

NEBRASKA

Lillian M. Longan to be postmaster at Bartley, Nebr., in place of L. M. Longan. Incumbent's commission expired January 16, 1926.

Francis E. Davis to be postmaster at Homer, Nebr., in place of F. E. Davis. Incumbent's commission expires March 24, 1926.

Edward A. Walker to be postmaster at Stuart, Nebr., in place of E. A. Walker. Incumbent's commission expires March 24, 1926.

NEVADA

Bert M. Weaver to be postmaster at Goldfield, Nev., in place of B. M. Weaver. Incumbent's commission expires March 24, 1926.

NEW JERSEY

Adrian P. King to be postmaster at Beachhaven, N. J., in place of A. P. King. Incumbent's commission expired January 21, 1926.

William Q. Schoenheit to be postmaster at Long Valley, N. J., in place of W. Q. Schoenheit. Incumbent's commission expired March 22, 1926.

Rae B. Cook to be postmaster at Mount Arlington, N. J., in place of R. B. Cook. Incumbent's commission expired March 22, 1926.

Lucius C. Higgins to be postmaster at Mountain Lakes, N. J., in place of L. C. Higgins. Incumbent's commission expired March 22, 1926.

Otis F. Lee to be postmaster at Ocean Grove, N. J., in place of O. F. Lee. Incumbent's commission expired March 22, 1926.

Harold Chafey to be postmaster at Point Pleasant, N. J., in place of Harold Chafey. Incumbent's commission expires May 16, 1926.

NEW YORK

La Dette G. Elwood to be postmaster at Alden, N. Y., in place of L. G. Elwood. Incumbent's commission expires March 23, 1926.

Joseph F. Krampf to be postmaster at Allegany, N. Y., in place of J. F. Krampf. Incumbent's commission expires March 24, 1926.

Robert H. MacNaught to be postmaster at Hobart, N. Y., in place of R. H. MacNaught. Incumbent's commission expired November 8, 1925.

Clinton D. Drumm to be postmaster at Malverne, N. Y., in place of C. D. Drumm. Incumbent's commission expires March 23, 1926.

Jesse W. Lewis to be postmaster at Petersburg, N. Y., in place of J. W. Lewis. Incumbent's commission expires March 23, 1926.

Robert L. Wilcox to be postmaster at Port Leyden, N. Y., in place of R. L. Wilcox. Incumbent's commission expires March 24, 1926.

Sutherland Lent to be postmaster at Sloatsburg, N. Y., in place of Sutherland Lent. Incumbent's commission expired March 20, 1926.

Isaac Bedford to be postmaster at Thiells, N. Y., in place of Isaac Bedford. Incumbent's commission expired March 20, 1926.

Henry W. Osborn to be postmaster at Ulster Park, N. Y., in place of H. W. Osborn. Incumbent's commission expired November 23, 1925.

Wilma B. Scott to be postmaster at West Valley, N. Y., in place of W. B. Scott. Incumbent's commission expires March 24, 1926.

NORTH CAROLINA

Malpheus F. Hinshaw to be postmaster at Randleman, N. C., in place of M. F. Hinshaw. Incumbent's commission expires March 23, 1926.

Wade E. Vick to be postmaster at Robersonville, N. C., in place of W. E. Vick. Incumbent's commission expires March 23, 1926.

Bertie L. Matthews to be postmaster at Vass, N. C., in place of B. L. Matthews. Incumbent's commission expires March 23, 1926.

Warren G. Elliott to be postmaster at Wilmington, N. C., in place of W. G. Elliott. Incumbent's commission expires March 24, 1926.

NORTH DAKOTA

George Klier, jr., to be postmaster at Bisbee, N. Dak., in place of George Klier, jr. Incumbent's commission expires March 24, 1926.

Charles A. Jordan to be postmaster at Cogswell, N. Dak., in place of C. A. Jordan. Incumbent's commission expires March 24, 1926.

William E. Bowler to be postmaster at Noonan, N. Dak., in place of W. E. Bowler. Incumbent's commission expired August 4, 1925.

Rolfe H. Hesketh to be postmaster at St. John, N. Dak., in place of R. H. Hesketh. Incumbent's commission expired March 21, 1926.

John K. Dielm to be postmaster at Schafer, N. Dak., in place of J. K. Dielm. Incumbent's commission expires March 24, 1926.

OHIO

Nellie E. Beam to be postmaster at Ansonia, Ohio, in place of N. E. Beam. Incumbent's commission expires March 23, 1926.

Jacob W. Simon to be postmaster at Bloomdale, Ohio, in place of J. W. Simon. Incumbent's commission expires March 23, 1926.

James B. Jones to be postmaster at Canfield, Ohio, in place of J. B. Jones. Incumbent's commission expires March 24, 1926.

Vashti Wilson to be postmaster at Corning, Ohio, in place of Vashti Wilson. Incumbent's commission expires March 23, 1926.

William H. Pfau to be postmaster at Hamilton, Ohio, in place of W. H. Pfau. Incumbent's commission expires March 23, 1926.

William R. Poulson to be postmaster at Holgate, Ohio, in place of W. R. Poulson. Incumbent's commission expires March 24, 1926.

Edward W. Williams to be postmaster at New Carlisle, Ohio, in place of E. W. Williams. Incumbent's commission expires March 23, 1926.

Albert W. Davis to be postmaster at Norwalk, Ohio, in place of A. W. Davis. Incumbent's commission expires March 23, 1926.

Edwin M. Stover to be postmaster at Oakwood, Ohio, in place of E. M. Stover. Incumbent's commission expires March 23, 1926.

Fred J. Wolfe to be postmaster at Quaker City, Ohio, in place of F. J. Wolfe. Incumbent's commission expires March 23, 1926.

OKLAHOMA

Albert M. Dennis to be postmaster at Frederick, Okla., in place of A. M. Dennis. Incumbent's commission expired March 22, 1926.

Merrel L. Thompson to be postmaster at Hartshorne, Okla., in place of M. L. Thompson. Incumbent's commission expired March 22, 1926.

Roscoe C. Fleming to be postmaster at Tishomingo, Okla., in place of R. C. Fleming. Incumbent's commission expired March 21, 1926.

OREGON

Polk E. Mays to be postmaster at Joseph, Oreg., in place of P. E. Mays. Incumbent's commission expired March 22, 1926.

John N. Williamson to be postmaster at Prineville, Oreg., in place of J. N. Williamson. Incumbent's commission expired March 21, 1926.

Ida M. Clayton to be postmaster at Rockaway, Oreg., in place of I. M. Clayton. Incumbent's commission expired March 22, 1926.

PENNSYLVANIA

Joseph F. Dolan, jr., to be postmaster at Bala-Cynwyd, Pa., in place of J. F. Dolan, jr. Incumbent's commission expires March 24, 1926.

Lemuel A. Bosserman to be postmaster at Barnesboro, Pa., in place of L. A. Bosserman. Incumbent's commission expired March 21, 1926.

Helen H. Rodgers to be postmaster at Fredericktown, Pa., in place of H. H. Rogers. Incumbent's commission expires March 24, 1926.

Claude E. Savidge to be postmaster at Northumberland, Pa., in place of G. L. Van Alen. Incumbent's commission expired November 22, 1925.

Daniel L. Kauffman to be postmaster at Oley, Pa., in place of D. L. Kauffman. Incumbent's commission expires March 24, 1926.

Thomas Powell to be postmaster at Patton, Pa., in place of Thomas Powell. Incumbent's commission expires March 24, 1926.

Philip W. Hunt to be postmaster at St. Davids, Pa., in place of P. W. Hunt. Incumbent's commission expires March 24, 1926.

RHODE ISLAND

Charles J. Baron to be postmaster at Centerdale, R. I., in place of C. J. Baron. Incumbent's commission expired March 22, 1926.

SOUTH CAROLINA

John R. Tolbert to be postmaster at Abbeville, S. C., in place of J. R. Tolbert. Incumbent's commission expired March 22, 1926.

Clyde H. Culbreth to be postmaster at Landrum, S. C., in place of C. H. Culbreth. Incumbent's commission expired March 22, 1926.

Cary Smith to be postmaster at Manning, S. C., in place of Cary Smith. Incumbent's commission expired March 4, 1926.

SOUTH DAKOTA

Sherman T. Wickre to be postmaster at Andover, S. Dak., in place of S. T. Wickre. Incumbent's commission expires March 24, 1926.

Cornelius N. Trooien to be postmaster at Astoria, S. Dak., in place of C. N. Trooien. Incumbent's commission expires March 24, 1926.

Harry E. Kjenstad to be postmaster at Brandt, S. Dak., in place of H. E. Kjenstad. Incumbent's commission expires March 24, 1926.

Frank Bowman to be postmaster at Eagle Butte, S. Dak., in place of Frank Bowman. Incumbent's commission expires March 24, 1926.

Mary G. Bromwell to be postmaster at Mount Vernon, S. Dak., in place of M. G. Bromwell. Incumbent's commission expires March 24, 1926.

Mary V. Breene to be postmaster at Seneca, S. Dak., in place of M. V. Breene. Incumbent's commission expires March 24, 1926.

James Gaynor to be postmaster at Springfield, S. Dak., in place of James Gaynor. Incumbent's commission expired March 21, 1926.

John D. Smull to be postmaster at Summit, S. Dak., in place of J. D. Smull. Incumbent's commission expired March 21, 1926.

TENNESSEE

James G. McKenzie to be postmaster at Big Sandy, Tenn., in place of J. G. McKenzie. Incumbent's commission expires March 24, 1926.

Bethel C. Brown to be postmaster at Cleveland, Tenn., in place of B. C. Brown. Incumbent's commission expires March 24, 1926.

Glenn C. Hodges to be postmaster at Cowan, Tenn., in place of G. C. Hodges. Incumbent's commission expires March 24, 1926.

William F. Campbell to be postmaster at Decatur, Tenn., in place of W. F. Campbell. Incumbent's commission expired March 9, 1926.

John L. Sullivan to be postmaster at Lexington, Tenn., in place of J. L. Sullivan. Incumbent's commission expires March 24, 1926.

Will F. Sherwood to be postmaster at Petersburg, Tenn., in place of W. F. Sherwood. Incumbent's commission expires March 24, 1926.

John A. Wilson to be postmaster at Sharon, Tenn., in place of J. A. Wilson. Incumbent's commission expires March 24, 1926.

Fred Hawkins to be postmaster at Tellico Plains, Tenn., in place of Fred Hawkins. Incumbent's commission expires March 24, 1926.

Warren S. Yell to be postmaster at Wartrace, Tenn., in place of W. S. Yell. Incumbent's commission expires March 24, 1926.

TEXAS

John F. Furlow to be postmaster at Alvord, Tex., in place of J. F. Furlow. Incumbent's commission expires March 23, 1926.

James I. Carter to be postmaster at Arlington, Tex., in place of J. I. Carter. Incumbent's commission expired February 9, 1926.

Emma L. McLaughlin to be postmaster at Blanket, Tex., in place of E. L. McLaughlin. Incumbent's commission expires March 23, 1926.

Arthur H. Johnson to be postmaster at Eastland, Tex., in place of A. H. Johnson. Incumbent's commission expired March 2, 1926.

Frank W. Dusek to be postmaster at Flatonia, Tex., in place of F. W. Dusek. Incumbent's commission expires March 23, 1926.

Tom Pringle to be postmaster at Goose Creek, Tex., in place of M. A. Grant, removed.

William D. McGowan to be postmaster at Hemphill, Tex., in place of W. D. McGowan. Incumbent's commission expires March 23, 1926.

Leonard M. Kealy to be postmaster at Lewisville, Tex., in place of L. M. Kealy. Incumbent's commission expires March 23, 1926.

Homer Howard to be postmaster at Lockney, Tex., in place of Homer Howard. Incumbent's commission expires March 23, 1926.

Fred M. Carrington to be postmaster at Marquez, Tex., in place of F. M. Carrington. Incumbent's commission expires March 23, 1926.

Mary S. Ray to be postmaster at Midland, Tex., in place of M. S. Ray. Incumbent's commission expires March 23, 1926.

William F. Neal to be postmaster at Overton, Tex., in place of W. F. Neal. Incumbent's commission expires March 23, 1926.

VIRGINIA

Edmund S. Hooker to be postmaster at Nokesville, Va., in place of E. S. Hooker. Incumbent's commission expires March 24, 1926.

WASHINGTON

Austin I. Dickinson to be postmaster at Riverside, Wash., in place of A. I. Dickinson. Incumbent's commission expired March 9, 1926.

Andrew J. Diedrich to be postmaster at Valley, Wash., in place of A. J. Diedrich. Incumbent's commission expired February 10, 1926.

Herbert K. Rowland to be postmaster at Zillah, Wash., in place of H. K. Rowland. Incumbent's commission expired November 23, 1925.

WEST VIRGINIA

John O. Stone to be postmaster at Davy, W. Va., in place of J. O. Stone. Incumbent's commission expires March 23, 1926.

Ira Greathouse to be postmaster at Flemington, W. Va., in place of Ira Greathouse. Incumbent's commission expires March 23, 1926.

George A. Brooks to be postmaster at Pineville, W. Va., in place of G. A. Brooks. Incumbent's commission expired March 14, 1926.

John C. Smith to be postmaster at Tralee, W. Va., in place of J. C. Smith. Incumbent's commission expires March 23, 1926.

John W. Mitchell to be postmaster at Wayne, W. Va., in place of J. W. Mitchell. Incumbent's commission expired March 21, 1926.

Belfrad H. Gray to be postmaster at Welch, W. Va., in place of B. H. Gray. Incumbent's commission expires March 23, 1926.

WISCONSIN

John Lindow to be postmaster at Manawa, Wis., in place of John Lindow. Incumbent's commission expired December 22, 1925.

Elmer O. Trickey to be postmaster at Vesper, Wis., in place of E. O. Trickey. Office became presidential October 1, 1923.

CONFIRMATIONS

Executive nominations received by the Senate March 23 (legislative day of March 20), 1926

COLLECTOR OF CUSTOMS

A. Lincoln Acker to be collector of customs at Philadelphia.

PUBLIC HEALTH SERVICE

Marion F. Haralson to be surgeon.

John F. Mahoney to be surgeon.

APPOINTMENTS BY TRANSFER IN THE REGULAR ARMY

John Laing De Pew to be second lieutenant, Cavalry.

Theodore Anderson Baldwin, 3d, to be second lieutenant, Cavalry.

Wiley Thomas Moore to be second lieutenant, Field Artillery.

Raymond Cecil Conder to be second lieutenant, Field Artillery.

Russell Thomas Finn to be second lieutenant, Field Artillery.

PROMOTIONS IN THE ARMY

John Calvin Sandlin to be captain, Infantry.

MARINE CORPS

John C. Beaumont to be colonel.

Walter N. Hill to be lieutenant colonel.

Clyde H. Metcalf to be major.

Albert B. Sage to be captain.

John D. Lockburner to be captain.

James M. Smith to be first lieutenant.

POSTMASTERS

CALIFORNIA

Christian F. Richter, Auburn.

Vada M. Slye, Cucamonga.

Ed Lewis, Marysville.

Charles H. Silva, Newcastle.
Forest E. Paul, Pacific Grove.
Roy E. Copeland, San Jacinto.
Clarence Beckley, Santa Paula.
Samuel F. Ellison, Vacaville.
Clifford M. Moon, Victorville.

CONNECTICUT

William E. Hazen, Georgetown.

HAWAII

James D. Ackerman, Kealahou.

ILLINOIS

Clarence L. Kiger, Cisne.
Arthur F. Eberlin, Hardin.
Maurice Z. Moore, Industry.
Edwin W. Perkins, Newark.
Myron W. Hughes, Wauconda.

IOWA

Fred P. Carothers, Nodaway.
Earl P. Tucker, Panora.

KENTUCKY

John P. Perkins, Albany.
Luther G. Bernard, Jamestown.
Maude E. Gattrell, Midway.

LOUISIANA

Harry R. Mock, Baskin.
Eugenie L. Richard, Bayou Goula.
Russell A. Dilly, Clinton.
H. Ernest Benefiel, Kenner.
Theodore A. Rains, Marthaville.
Leonard L. Thompson, Montgomery.

MISSOURI

Lester C. Snoddy, Ash Grove.
Edward Early, Baring.
Fred L. Mills, Commerce.
Elizabeth Middleton, Kingsville.
Gussie C. Henneke, Leslie.
Albert G. Reeves, Lucerne.
Hubert Lamb, Pineville.
Joseph G. Gresham, Queen City.
Clarice C. Lloyd, Valley Park.

MONTANA

James S. Honnold, Joliet.

NEBRASKA

Erma L. Thompson, Dunning.
Charles Leu, Elkhorn.
Bert L. Strauser, Madrid.
Philip Stein, Plainview.

NORTH CAROLINA

Lawson M. Almond, Albemarle.
Minnie T. Moore, Atkinson.
Madison L. Wilson, Bakersville.
Wayne E. Bailey, Chadbourne.
James D. Andrews, Fairmont.
Herbert H. Miller, Hickory.

NORTH DAKOTA

Kathryn Savage, Braddock.
Charles E. Harding, Church Ferry.
Anna A. Bjornson, Kulm.
Anthony Hentges, Michigan.
Andrew D. Cochrane, York.

OREGON

Elsie R. Johnson, Florence.

PENNSYLVANIA

Erma E. Moyer, Bechtelsville.
Harry N. Beazell, Belle Vernon.
Effie M. Lang, Fort Washington.
Thomas H. Probert, Hazleton.
Mary V. Clemens, Linfield.
James R. Davis, McAllisterville.
Charles B. Lengel, Newmantown.
Harry Z. Wampole, Telford.

WISCONSIN

Illma Dugal, Cadott.
William A. Roblier, Coloma.
Roy E. Lawler, Gordon.
William L. Chesley, Lena.
Fred S. Thompson, Superior.